United Nations A/69/283

General Assembly

Distr.: General
7 August 2014

Original: English

Sixty-ninth session
Item 136 of the provisional agenda*
Human resources management

Practice of the Secretary-General in disciplinary matters and cases of possible criminal behaviour, 1 July 2013 to 30 June 2014

Report of the Secretary-General

Summary

The present report is submitted in response to the request of the General Assembly in paragraph 16 of its resolution 59/287 that Member States be informed on an annual basis about all actions taken in cases of established misconduct and/or criminal behaviour and the disciplinary action and, where appropriate, legal action, taken in accordance with the established procedures and regulations. The report covers the period from 1 July 2013 to 30 June 2014.

The General Assembly is invited to take note of the report.

* A/69/150.

14-58808 (E) 200814

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I. Introduction

1. The present report is submitted in response to the request of the General Assembly in paragraph 16 of its resolution 59/287 that Member States be informed on an annual basis about all actions taken in cases of established misconduct and/or criminal behaviour in accordance with the established procedures and regulations. The report covers the period from 1 July 2013 to 30 June 2014.

2. As requested in paragraph 17 of resolution 59/287, an information circular will be issued so that all staff of the Organization will be informed of the most common examples of misconduct and/or criminal behaviour and their disciplinary consequences, including legal action, with due regard for the protection of the privacy of the staff members concerned.

3. A broad overview of the administrative machinery in disciplinary matters is provided in section II below so that the information provided in sections III and IV may be understood in context. Section III contains a summary of the cases for which one or more disciplinary measures were imposed by the Secretary-General on Secretariat staff members during the reporting period. Section IV contains comparative data reflecting the disposition of cases completed during the reporting period, including cases that did not result in the imposition of a disciplinary measure, and information about appeals of disciplinary measures imposed since 1 July 2009. Section IV also provides comparative data on the number and nature of cases referred for action during the reporting period. Section V provides information on the practice of the Secretary-General in cases of possible criminal behaviour.

II. Overview of the administrative machinery with respect to disciplinary matters

A. Legislative framework governing the conduct of staff members[1]

4. Article 101, paragraph 3, of the Charter of the United Nations states that the "paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity".

5. Article I of the Staff Regulations and chapter I of the Staff Rules, both entitled "Duties, obligations and privileges", set out the basic values expected of international civil servants because of their status, as well as particular manifestations of such basic values. Particular reference is made to staff regulation 1.2 and staff rule 1.2 for specific instances of expected and prohibited conduct.

[1] Provisions relating to the status, rights and duties of staff members, and to disciplinary matters, can be found in the electronic version of the Human Resources Handbook (available at http://secap472.un.org/hr_handbook) under the headings "Status, basic rights and duties" and "Disciplinary".

B. Misconduct

6. Staff regulation 10.1 (a) provides that "the Secretary-General may impose disciplinary measures on staff members who engage in misconduct". Staff rule 10.1 (a) provides that the "failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances or to observe the standards of conduct expected of an international civil servant may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct". In addition, staff rule 10.1 (c) provides that "the decision to launch an investigation into allegations of misconduct, to institute a disciplinary process and to impose a disciplinary measure shall be within the discretionary authority of the Secretary-General or officials with delegated authority". Within those parameters, the Secretary-General has broad discretion in determining what constitutes misconduct and in imposing disciplinary measures (see ST/SGB/2014/1). The administrative instruction on revised disciplinary measures and procedures (ST/AI/371 and Amend.1)[2] provides further examples of conduct for which disciplinary measures may be imposed. A new administrative instruction on investigations and the disciplinary process continues to be under preparation and remains the subject of ongoing discussion and consultation among management and other stakeholders. One of the main goals of the new instruction is to codify certain matters relating to the investigatory process. The matter was discussed with staff at the Staff-Management Committee meeting held in June 2014.

C. Procedural fairness

7. Where the head of office or other responsible officer believes, following an investigation, that misconduct may have occurred, he or she refers the matter to the Assistant Secretary-General for Human Resources Management for a decision on whether to pursue the matter as a disciplinary case. Depending on the subject matter and the complexity of the report of misconduct, the investigation may have been undertaken by the head of office or his or her designees, or by the Office of Internal Oversight Services, at its own initiative or at the request of a head of office.

8. If the Assistant Secretary-General for Human Resources Management decides to pursue the matter as a disciplinary case, the staff member is notified in writing of the allegations of misconduct and is informed of his or her opportunity to comment on the allegations and of the right to seek the assistance of counsel in his or her defence through the Office of Staff Legal Assistance or from outside counsel at his or her own expense. The staff member is given a reasonable opportunity to respond to the allegations of misconduct. In the light of the comments provided by the staff member, the Assistant Secretary-General for Human Resources Management decides whether to close the case, with or without administrative action, or to recommend the imposition of one or more disciplinary measures. In the latter case, the Under-Secretary-General for Management decides, on behalf of the Secretary-General, whether to impose one or more of the disciplinary measures provided for in staff rule 10.2 (a).

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[2] See also ST/SGB/2008/5, on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority.

9. Staff rule 10.4 (a) provides that, at any time pending an investigation until the completion of the disciplinary process, a staff member may be placed on administrative leave by the appropriate official.[3]

10. In accordance with staff rule 10.3 (c), a staff member against whom a disciplinary measure has been imposed may submit an application to the Dispute Tribunal challenging the imposition of the measure in accordance with Chapter XI of the Staff Rules.[4]

D. Disciplinary measures

11. Staff rule 10.2 (a) provides that disciplinary measures may take one or more of the following forms (i.e. more than one measure may be imposed in each case):

(a) Written censure;

(b) Loss of one or more steps in grade;

(c) Deferment, for a specified period, of eligibility for salary increment;

(d) Suspension without pay for a specified period;

(e) Fine;

(f) Deferment, for a specified period, of eligibility for consideration for promotion;

(g) Demotion, with deferment, for a specified period, of eligibility for consideration for promotion;

(h) Separation from service, with notice or compensation in lieu of notice, and with or without termination indemnity;

(i) Dismissal.

12. In determining the appropriate measure, each case is decided on its own merits, taking into account the particulars of the case, including aggravating and mitigating circumstances. Additionally, in accordance with staff rule 10.3 (b), disciplinary measures imposed must be proportionate to the nature and gravity of the misconduct involved. Given the thoroughness of the review involved to assess the unique facts and features of each case, the specific sanction that applies to a specific type of misconduct cannot be determined in advance or applied across the board.

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[3] In January 2013, the Assistant Secretary-General for Human Resources Management delegated to the Under-Secretary-General for Field Support, on a pilot basis, the authority to place field mission staff members on administrative leave with pay. Guidelines for the placement of staff on administrative leave with pay pending investigation and under the disciplinary process can be found in the Human Resources Handbook (http://secap472.un.org/hr_handbook).

[4] Judgements of the Dispute Tribunal relating to disciplinary cases can be found on the website of the Office of the Administration of Justice (www.un.org/en/oaj).

E. Other measures

13. Written or oral reprimands, recovery of moneys owed to the Organization and administrative leave with or without pay are not considered disciplinary measures. Reprimands, such as warnings or letters of caution, are administrative and/or managerial measures that are important for upholding standards of proper conduct and promoting accountability. In addition, where conduct that may amount to misconduct has an impact on performance, the issue may be addressed in the context of performance management. This may include training, counselling, the withholding of salary increments, the non-renewal of contract or the termination of appointment.

III. Summary of cases in which disciplinary measures were imposed

14. For each case that led to the imposition of one or more disciplinary measures, a summary is provided below indicating the nature of the misconduct and the disciplinary measure or measures imposed by the Secretary-General. The functional title of the staff members or other particulars relating thereto are provided only when they played a role as aggravating or mitigating circumstances in determining the measures to be taken. Conduct issues that were dealt with by means other than disciplinary measures are not listed.

15. As noted above, both aggravating and mitigating factors are taken into account in determining a sanction, and these vary according to the unique facts and circumstances of a case. Examples of possible aggravating factors are the repetition of acts of misconduct, the intent to derive personal benefit and the degree of harm resulting from the misconduct. Examples of possible mitigating factors are sincere remorse, a staff member's personal circumstances and voluntary disclosure of the acts of misconduct. This approach has been confirmed by the Dispute Tribunal.[5]

16. Not every case brought to the attention of the Secretary-General results in disciplinary or other measures being taken. When a review by the Office of Human Resources Management reveals that there is insufficient evidence to pursue a matter as a disciplinary case, or when a staff member provides a satisfactory explanation in response to the formal allegations of misconduct, the case is closed. Cases may also be closed when a staff member retires or otherwise separates from the Organization before an investigation or the disciplinary process is concluded, as the Secretary-General does not have the authority to impose disciplinary measures on former staff members. In such cases, a record is made and placed in the former staff member's official status file so that the matter can be further considered if and when the staff member rejoins the Organization.

17. In paragraph 23 of its resolution 68/252, the General Assembly requested the Secretary-General to take appropriate measures to mitigate and recoup any losses arising from misconduct by staff members and to report thereon. As mentioned in paragraph 6 above, the administrative instruction on investigations and disciplinary matters is under revision and is the subject of discussions between staff and

[5] See, for example, the Dispute Tribunal's judgements in *Yisma* (UNDT/2011/061) and *Diakite* (UNDT/2010/024).

management. One of the revisions will be to elaborate on the procedures for recovery of losses to the Organization resulting from established misconduct, pursuant to staff rule 10.1 (b), thereby enhancing the legal framework to effect recovery. It is expected that this revision will be completed towards the end of 2014 or early in 2015. Meanwhile, as the summaries of the cases below indicate, in the majority of the cases, where there was a quantifiable loss to the Organization, the Organization either recovered the relevant property and/or funds or the staff member repaid the funds at issue.

A. Abuse of authority, harassment and discrimination

18. A staff member engaged in a pattern of verbal abuse and ridicule towards a colleague over a number of years and attempted to physically assault the same staff member on one occasion. The staff member's admission and apology to the victim were seen as mitigating factors. *Disposition*: written censure, loss of five steps in grade and deferment, for two years, of eligibility for consideration for promotion. *Appeal*: the time for appeal of the disciplinary measures had not expired as at the date of submission of the present report.

19. A staff member, who was the head of a regional office, harassed staff members and interns under the staff member's supervision by engaging in a pattern of conduct that included shouting or intimidating actions. *Disposition*: demotion with deferment, for one year, of eligibility for consideration for promotion. *Appeal*: the time for appeal of the disciplinary measures had not expired as at the date of submission of the present report.

B. Theft and misappropriation

20. Two staff members attempted to take, without authorization, four drums of calcium hypochlorite belonging to the Organization. In doing so, the staff members also misused a vehicle belonging to the Organization. *Disposition*: dismissal. *Appeal*: none.

21. A staff member removed, without authorization, the new tyres of a vehicle belonging to the Organization, which was used as an ambulance, and replaced them with old tyres. There were mitigating circumstances, including that the staff member had returned the new tyres to the Organization; the staff member had cooperated with the investigation; and the staff member had admitted the misconduct. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.

22. A staff member took, without authorization, a laptop computer that belonged to a visitor to the Organization. The fact that the staff member's conduct exposed the Organization to the risk of damage to its reputation was an aggravating factor in this case, as was the staff member's involvement of another unwitting staff member, which exposed the latter to being implicated in the wrongdoing. The laptop was eventually returned to the visitor. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.

23. A staff member took, without authorization, a United Nations vehicle. There were mitigating circumstances, including that the vehicle was recovered by the

United Nations and the staff member eventually admitted the conduct. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measures had not expired as at the date of submission of the present report.

24. A staff member received and used a United Nations vehicle without authorization. There were mitigating circumstances, including that the vehicle was recovered and the staff member eventually admitted the conduct. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: The time for appeal of the disciplinary measures had not expired as at the date of submission of the present report.

25. A staff member who served as a warehouse assistant took, without authorization, six containers of paint that belonged to the Organization. The facts that the staff member had prepared a falsified gate pass and had initially given a false statement to investigators and the fact that the staff member's actions were fundamentally inconsistent with duties with which the staff member was entrusted were considered as aggravating factors. *Disposition*: dismissal. *Appeal*: none.

26. A staff member took, without authorization, money obtained by cashing cheques collected at the behest of two other staff members, which had been issued to them by the Organization as advances. The staff member used the money for personal purposes. The Organization recovered the amount of the cheques from the staff members to whom the cheques had been issued. The staff member who had cashed the cheques without authorization reimbursed the staff members from whom the cheques had been taken. The fact that the staff member had demonstrated a pattern of deliberate deceit and had taken advantage of the trust placed in that staff member by the others were considered as aggravating factors in this case. *Disposition*: dismissal. *Appeal*: none.

27. A staff member performing the functions of a driver siphoned fuel from a United Nations-assigned vehicle without authorization and sold the fuel to a third party. There were mitigating circumstances, including the staff member's cooperation with the investigation and admission to misconduct and the time taken to resolve the case. The fact that the staff member had abused the position of driver and had repeatedly engaged in the same misconduct since the commencement of employment with the Organization were considered to be aggravating circumstances. *Disposition*: separation from service with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

28. A staff member who served as a driver and warehouse assistant took, without authorization, three air-conditioning units belonging to the Organization and misused a United Nations vehicle by using it to deliver the air-conditioning units to a private residence. The units were eventually recovered. The neglect of the staff member's duties, which included a particular duty of care towards the assets of the Organization, was an aggravating factor. *Disposition*: dismissal. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

29. A staff member took, without authorization, a United Nations car battery, intending to use it for private purposes. There were mitigating factors, including an early admission and an expression of remorse. The battery was recovered. *Disposition*: separation from service with compensation in lieu of notice and without termination indemnity. *Appeal*: none.

C. Misrepresentation and false certification

30. A staff member withdrew, for personal use, money from a United Nations-related bank account, in 2008 and 2009, when in a position of trust. Significant mitigating factors were present, namely, the staff member had reported the misconduct voluntarily and prior to the discovery that the money was missing. The staff member's conduct was initially addressed informally, following which the staff member, among other actions, reimbursed the full amount taken. The fact that a number of years had passed between the misconduct being committed and the imposition of a disciplinary measure was also considered a mitigating factor. *Disposition*: demotion, with deferment, for a period of three years, of eligibility for consideration of promotion. *Appeal*: none.

31. A staff member submitted documents containing inaccurate information to the Organization in support of a request for funding to attend a training course. Mitigating considerations included that the staff member had fully cooperated with the investigation, offering an early and complete admission of the conduct; the staff member had shown remorse and apologized for the conduct; and the staff member had demonstrated a long-standing commitment to volunteer service on social issues within and outside of the Organization. The staff member's request for funding was not approved, resulting in no financial loss to the Organization. *Disposition*: demotion by one grade with deferment, for three years, of eligibility for consideration for promotion. *Appeal*: none.

32. A staff member submitted, and received payment for, multiple health insurance claims to an insurance company that was contracted through the Organization, which were based on documentation that inflated the staff member's actual expenditures. Following requests by the insurance company, the staff member reimbursed the company for the full amount of the payments made. The length of satisfactory service of the staff member (approximately 20 years), the time taken to complete the investigation and the fact that the staff member had reimbursed the insurance company for the amounts paid were taken into account as mitigating factors. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

33. A staff member submitted a travel request and mission report relating to a meeting that had not taken place. The staff member also submitted e-mail messages to the investigators purporting to confirm that the meeting had taken place, when the staff member knew that the messages contained false information. The staff member's excellent performance record was taken into account as a mitigating factor. *Disposition*: separation from service, with compensation in lieu of notice and without termination indemnity. *Appeal*: none.

34. Two staff members accepted money from a third party in relation to that party's interest in purchasing United Nations vehicles, when it was not part of the staff members' official duties to receive such moneys. There were mitigating factors, notably the fact that the third party had withdrawn his complaint against the staff members after formal allegations had been issued and that the staff members appeared to have repaid the third party, at least in part. *Disposition*: separation with compensation in lieu of notice and without termination indemnity. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

D. Misuse of United Nations property or assets

35. A staff member performing functions relating to the movement of goods in a mission environment attempted, without authorization, to ship a potentially dangerous item on a United Nations aircraft on behalf of another staff member (see para. 36 below) without following any of the safety or screening procedures for the shipment of such an item and placed a passenger luggage tag on the cargo in the knowledge that it was not passenger luggage. Mitigating circumstances included the time taken to dispose of the case and the staff member's full cooperation with the investigation and early admission of and apology for the staff member's actions. Aggravating circumstances were that the actions had directly resulted in a potentially dangerous item being loaded onto a passenger flight and that, at the time, the staff member had enjoyed unrestricted access to the mission's air terminal and United Nations aircraft by virtue of the staff member's functions. *Disposition*: separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

36. A staff member requested the assistance of another staff member in shipping potentially dangerous cargo on a United Nations flight for unofficial reasons (see para. 35 above). The time taken to dispose of the case was a mitigating circumstance. *Disposition*: written censure and a loss of two steps in grade with deferment, for a period of two years, of eligibility for salary increment. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

37. A staff member drove a United Nations vehicle without authorization and drove at an excessive speed. Mitigating factors were present, including the delay in the case being referred for disciplinary action. *Disposition*: written censure with deferment, for one year, of eligibility for salary increment. *Appeal*: none.

38. A staff member drove a United Nations vehicle without authorization. The time taken to resolve the case was a mitigating circumstance. *Disposition*: written censure. *Appeal*: none.

39. A staff member arranged to have personal items flown as cargo on a United Nations flight without authorization. *Disposition*: written censure. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

40. A staff member drove a United Nations vehicle without a valid movement of personnel form and without security clearance. The time taken from the initiation of the investigation to the completion of the disciplinary process was taken into account as a mitigating factor. *Disposition*: written censure. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

E. Misuse of information and communications technology resources

41. A staff member accessed, without authorization, the official e-mail accounts of other United Nations staff members; transmitted, without authorization, an e-mail from the webmail account of another United Nations staff member to various

colleagues, which was critical of another staff member; and personally submitted a reference letter to the United Nations in connection with the staff member's recruitment, while making it appear as though the reference had been submitted by a third party. *Disposition*: dismissal. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

42. A staff member misused the Organization's resources by indicating that long-distance calls were for official purposes when in fact they were personal calls. The full cost attributable to the relevant calls was recovered. Mitigating factors present included that the staff member admitted the conduct and was cooperative throughout the investigation. *Disposition*: written censure and a fine of two months' net base salary. *Appeal*: none.

F. Sexual exploitation and abuse

43. A staff member had sexual intercourse with a minor. *Disposition*: dismissal. *Appeal*: none.

44. A staff member had sexual intercourse with a minor on a number of occasions. *Disposition*: dismissal. *Appeal*: filed with the Dispute Tribunal, where the case remains under consideration.

45. A staff member had sexual intercourse with two minors. *Disposition*: dismissal. *Appeal*: none.

G. Unauthorized outside activities and conflict of interest

46. A staff member engaged in outside activities related to the operation of a business while employed as a staff member of the United Nations and without having obtained the approval of the Secretary-General. There were mitigating circumstances, including that the business was in existence prior to the staff member's joining the Organization and was wound up shortly after commencement of service with the Organization. *Disposition*: written censure and a loss of step in grade. *Appeal*: none.

H. Assault

47. A staff member repeatedly threatened to kill another staff member and hit the staff member, causing injury to the face and hand. *Disposition*: dismissal. *Appeal*: none.

48. A staff member physically assaulted a United Nations Police Adviser on two occasions on the same day. The fact that the Police Adviser had directed insulting and abusive language towards the staff member was a mitigating circumstance in the case. *Disposition*: separation from service with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

49. A staff member who performed the functions of a security guard physically assaulted the staff member's supervisor during an argument concerning a work assignment. There were mitigating factors, including the delay in the case being referred for disciplinary action. *Disposition*: separation from service with compensation in lieu of notice and with termination indemnity. *Appeal*: none.

I. Financial disclosure

50. A General Service staff member failed to comply with the financial disclosure obligations. *Disposition*: written censure. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

51. A senior staff member failed to comply with the financial disclosure obligations. *Disposition*: written censure and a fine of two months' net base salary. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

52. A senior staff member failed to comply with the financial disclosure obligations. *Disposition*: written censure and a fine of two months' net base salary. *Appeal*: the time for appeal of the disciplinary measure had not expired as at the date of submission of the present report.

J. Failure to honour private obligations

53. A staff member failed to honour private legal obligations to two schools and a bank. The magnitude of the debts, the time period over which the staff member was requested by the Organization to take appropriate action and the involvement of a national Government were considered as aggravating factors. *Disposition*: written censure, together with deferment, for a period of one year, of eligibility for consideration for promotion. *Appeal*: none.

K. Other

54. One disciplinary measure was imposed during the reporting period in the context of a confidential settlement agreement. *Disposition*: written censure. *Appeal*: none.

IV. Data on cases received and completed during the reporting period

A. Cases completed during the reporting period

55. The tables in the present section provide information on the number and disposition of cases completed during the reporting period, including those that did not result in the imposition of a disciplinary measure. Information is also provided about appeals to the Dispute Tribunal of disciplinary measures imposed during the current and the four previous reporting periods.

56. The length of time for completion of the disciplinary process varies depending on the complexity of the matter and the volume of evidence. During the reporting period, a number of factors have continued to affect the processing of disciplinary cases, including the jurisprudence from the Dispute Tribunal and the Appeals Tribunal. In particular, the decision of the Appeals Tribunal in *Molari* (2011-UNAT-164), which provided that the standard of proof in disciplinary cases that

could result in a termination is "clear and convincing evidence",[6] has often resulted in the need for the Office of Human Resources Management to request further input from investigating entities after the initial referral of the matter. This has also added to the length of time required to process a case, as the Office is required to perform increasingly detailed analyses and to scrutinize every aspect of each case. The Appeals Tribunal's decisions in *Nyambuza* (2013-UNAT-364) and *Diabagate* (2014-UNAT-403), which rescinded disciplinary measures imposed on staff members on the basis that the witness statements obtained during the investigation did not have sufficient "indicia of reliability" or were otherwise questionable, have had a further impact on the time taken to process cases. For example, in *Nyambuza*, the witness statements were rendered in French (the language of the witnesses), but the attestations as to truthfulness were in English. As a result of those judgements, the processing of certain disciplinary cases was halted mid-process, as witnesses had to be found and new statements obtained. This added more time to the processing of the cases.

57. The time taken to process a case also includes the time needed for the staff member concerned to respond to the allegations and any further relevant information received by the Office of Human Resources Management during the disciplinary process, which can be lengthy, as the staff member may request extensions or need to consult counsel who may be located far away. After responses are received from staff members, it is often necessary to seek further clarifications and/or evidence, and to then again obtain the staff member's comments on the additional information received.[7]

58. It should be noted that the tables reflect cases completed during the reporting period that were referred to the Office of Human Resources Management both prior to and during the reporting period. The average time taken during the reporting period to dispose of cases after their referral to the Office was 6.4 months. Four cases, which took more than a year to complete for reasons not connected to the processing of the cases by the Office of Human Resources Management, are not included in this average.

Table 1
Disposition of cases completed between 1 July 2013 and 30 June 2014

Disposition	*Number*
Dismissal	10
Separation from service, with compensation in lieu of notice and with or without termination indemnity	13
Other disciplinary measures	16
Administrative measures	10
Closed with no measure (after staff member has received formal allegations of misconduct)	7

[6] A recent Dispute Tribunal judgement, *Applicant* (UNDT/2013/086), also applied the "clear and convincing" standard of proof to its analysis of the evidence in a challenge to a sanction of demotion.

[7] The requirement that additional information be provided to the staff member for comment was confirmed by the Dispute Tribunal in *Israbhakdi* (UNDT/2012/010, upheld in 2012-UNAT-277).

Disposition	*Number*
Not pursued as a disciplinary matter (staff member does not receive formal allegations of misconduct)	23
Separation of the staff member after referral of the case to the Office of Human Resources Management prior to the completion of a disciplinary process (e.g., retirement, end of contract, resignation)	31
Other	5
Total	**115**

59. During the period covered by the present report, 23 out of 115 cases, or 20 per cent of the cases handled, were not pursued as disciplinary matters. In the four prior reporting periods, ending on 30 June of 2010, 2011, 2012 and 2013, the corresponding percentages were 4 per cent, 14 per cent, 25 per cent and 27 per cent, respectively. The reason for a given case not being pursued as a disciplinary matter is specific to the facts and circumstances of the case. However, as noted above, one important factor in the general increase in the percentage of cases not being pursued is the *Molari* judgement (2011-UNAT-164), which provided that facts supporting a disciplinary measure that could result in termination must be established by clear and convincing evidence. This high evidentiary standard reduced the proportion of cases pursued as disciplinary matters. Another relevant factor is that in certain cases the conduct at issue, while falling below the standard of conduct that may be expected of an international civil servant, may not rise to the level of misconduct and may therefore be addressed more appropriately through administrative or managerial measures than disciplinary measures.

Table 2
Cases completed in the past five reporting periods

Period	*Number*
1 July 2013 to 30 June 2014	115
1 July 2012 to 30 June 2013	115
1 July 2011 to 30 June 2012	155
1 July 2010 to 30 June 2011	271
1 July 2009 to 30 June 2010	100

60. As previously reported, the backlog that resulted from the significant increase in the number of cases received during the period from 1 July 2008 to 31 December 2009 (301 cases) was cleared by December 2012. The number of cases completed during the period covered by the present report is in line with the number of cases completed in the last reporting period as well as in the 2009/10 period.

61. With regard to issues concerning the workload of the Office of Human Resources Management, it may be recalled that in addition to its role regarding acting on cases referred for possible disciplinary action, the Office of Human Resources Management has a role under the provisions of the Secretary-General's bulletin on the prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/2008/5) in connection with cases

involving complaints against the most senior staff. In that connection, the Office acted on six matters during the reporting period with regard to deciding whether to initiate an investigation and, where relevant, reviewing the completed investigation reports and providing outcomes to complainants and alleged offenders. In addition, the Office routinely provides advice to other offices on their handling of complaints under the Secretary-General's bulletin and responds to challenges before the Dispute Tribunal in respect of those cases at various stages of handling (i.e., during and subsequent to investigations). Finally, the Office also has a role in monitoring the progress of matters falling under the provisions of the bulletin (see ST/SGB/2008/5, sects. 5.11 and 6). Given the complexity and sensitivity of those cases, the Office's involvement in such matters tends to be exceptionally resource intensive and, as the Office carries out those activities while also processing disciplinary cases and responding to challenges to disciplinary measures before the Dispute Tribunal, the time that could otherwise be dedicated to disciplinary matters is reduced.

62. Once a completed case has resulted in the imposition of a disciplinary measure, the staff member may challenge that decision before the Dispute Tribunal. It is noted that a relatively small percentage of disciplinary measures have been appealed since 1 July 2009.[8] In each of the reporting periods since that date, the percentage of disciplinary measures subject to appeal by reference to the number of disciplinary measures imposed during each such period is 26 per cent, 16 per cent, 16 per cent, 11 per cent[9] and 5 per cent,[10] respectively.

Table 3
Appeals contesting disciplinary measures imposed between 1 July 2009 and 30 June 2014

Period	*Number*	*Percentage*
1 July 2013 to 30 June 2014	2	5
1 July 2012 to 30 June 2013	5	11
1 July 2011 to 30 June 2012	7	16
1 July 2010 to 30 June 2011	16	16
1 July 2009 to 30 June 2010	8[a]	26

[a] One case that was inadvertently omitted from the previous report is included in the present report.

[8] During the past five years, the Dispute and Appeals Tribunals have considered the appeals of disciplinary measures imposed prior to 1 July 2009 under the previous system of justice. However, the tables in the present section do not contain information about the appeals or outcomes of disciplinary measures imposed prior to the introduction of the new system of justice.

[9] With respect to the figure reported in the previous report (A/68/130), there were eight cases for which the time period for filing an appeal had not expired at the time of submission of the report. Upon the expiration of that period, no additional cases were challenged. Accordingly, the percentage of appeals of disciplinary measures imposed during the previous reporting period remained 11 per cent.

[10] During the period from 1 July 2013 to 30 June 2014, of the 25 cases in which a disciplinary measure had been imposed and the time period for filing an appeal had expired, staff members in two of the cases had appealed the sanction. However, disciplinary measures have been imposed in 14 cases for which the time period for filing an appeal had not expired as of the date of submission of the present report.

63. The number of Dispute Tribunal and Appeals Tribunal judgements on disciplinary sanctions in the Secretariat imposed after 1 July 2009 is small, and therefore it is difficult to draw reasonable conclusions about trends in the outcomes of appeals. The table below provides information about the status and outcome of cases before the Dispute and Appeals Tribunals from 1 July 2009 to date.

Table 4
Disposition of the appeals contesting disciplinary measures imposed between 1 July 2009 and 30 June 2014

Disposition	*Number*	*Percentage*
Respondent prevailed at Dispute Tribunal, no appeal by staff member to Appeals Tribunal	9	23
Staff member appeal before Dispute Tribunal withdrawn	5	13
Settled	1	3
Respondent prevailed at Dispute Tribunal, staff member prevailed at Appeals Tribunal	1	3
Respondent prevailed at Dispute Tribunal and Appeals Tribunal	3	8
Respondent prevailed at Dispute Tribunal, staff member appealed to Appeals Tribunal (pending)	1	3
Respondent prevailed at Dispute Tribunal and Appeals Tribunal remanded the case to the Dispute Tribunal for new hearing	1	3
Respondent prevailed at Dispute Tribunal, period for staff member to appeal to Appeals Tribunal has not expired	1	3
Staff member prevailed at Dispute Tribunal, no appeal filed by the respondent to the Appeals Tribunal	1	3
Staff member prevailed at Dispute Tribunal, respondent prevailed at Appeals Tribunal	3	8
Staff member prevailed at Dispute Tribunal, respondent appealed to Appeals Tribunal (pending)	2	5
Staff member prevailed at Dispute Tribunal, period for respondent to appeal to Appeals Tribunal has not expired	2	5
Staff member's appeal pending at Dispute Tribunal	8	21
Total	**38**	**100**

B. Cases received by the Office of Human Resources Management

64. The tables in this section provide information on the number and types of cases that were referred to the Office of Human Resources Management for possible disciplinary action during the period covered by the present report (1 July 2013 to 30 June 2014), as well as the number of cases received over the previous four reporting periods.

Table 5
Cases received by the Office of Human Resources Management over the past five reporting periods

Period	*Number*
1 July 2013 to 30 June 2014	140
1 July 2012 to 30 June 2013	131
1 July 2011 to 30 June 2012	95
1 July 2010 to 30 June 2011	123
1 July 2009 to 30 June 2010	167

Table 6
Source of cases received by the Office of Human Resources Management between 1 July 2013 and 30 June 2014

Source	*Number*	*Percentage*
Cases relating to staff based at United Nations Headquarters and offices away from Headquarters	35	24
Cases relating to field staff	105	76
Total	**140**	**100**

65. The period covered by the present report has seen an increase of 76 per cent in the proportion of cases concerning field staff. In the four previous reporting periods, the corresponding percentages were 60 per cent, 51 per cent, 63 per cent and 72 per cent.

Table 7
Cases received between 1 July 2013 and 30 June 2014, by type of misconduct

Type of misconduct	*Number*
Abuse of authority/harassment/discrimination	16
Assault (verbal and physical)	8
Misrepresentation and false certification	18
Inappropriate or disruptive behaviour	11
Misuse of information and communications technology resources and computer-related misconduct	7
Misuse of United Nations property or assets	5
Failure to honour private legal obligations	4
Financial disclosure	4
Retaliation	1
Sexual exploitation and abuse	3
Theft and misappropriation	34
Unauthorized outside activities and conflict of interest	5
Violation of local laws	1
Others	23
Total	**140**

V. Possible criminal behaviour

66. In its resolution 59/287, the General Assembly requested the Secretary-General to take action expeditiously in cases of proven misconduct and/or criminal behaviour and to inform Member States about the actions taken. During the reporting period, 11 cases involving credible allegations of criminal conduct by United Nations officials or experts on mission were referred to Member States.

VI. Conclusion

67. **The Secretary-General invites the General Assembly to take note of the present report.**

United Nations A/69/284

General Assembly

Distr.: General
7 August 2014

Original: English

Sixty-ninth session
Item 69 (a) of the provisional agenda*
Promotion and protection of human rights: implementation of human rights instruments

Status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution 67/160, provides an overview of the status of the Convention on the Rights of Persons with Disabilities and contains a list of signatories, ratifications or accessions to the Convention and the Optional Protocol thereto. In addition, it provides information on the work of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities and the Committee on the Rights of Persons with Disabilities and reporting on the ongoing efforts of Governments towards the ratification and implementation of the Convention. The report also presents an overview of the progress made by the entities of the United Nations system and civil society organizations towards implementation of the Convention.

* A/69/150.

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I. Introduction

1. In its resolution 67/160, the General Assembly requested that the Secretary-General, at its sixty-ninth session, submit to it a report on the status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto.

II. Status of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

2. Since the previous report on the status of the Convention and the Optional Protocol thereto (A/67/281), and as at 1 July 2014, there were an additional 18 ratifications,[1] 10 accessions,[2] and 5 signatures[3] to the Convention. There have also been an additional 5 ratifications,[4] 6 accessions[5] and 2 signatures[6] to the Optional Protocol.

3. At the date of submission of the present report, there were a total of 147 States parties and 158 signatories to the Convention since its opening for signature on 30 March 2007. The European Union, as a regional organization, also ratified the Convention. There were 82 States parties and 92 signatories to the Optional Protocol. The list of all signatories, ratifications and accessions is contained in the annex to the report.

4. Member States continued to harmonize legislation, policies and institutional frameworks.

5. The General Assembly convened a high-level meeting on disability and development on 23 September 2013 to promote a disability-inclusive development agenda towards 2015 and beyond. The meeting resulted in a concise and action-oriented outcome document (resolution 68/3) that supports the aims of the Convention, the realization of the Millennium Development Goals and other internationally agreed development goals for persons with disabilities. In this regard, the outcome document contributes to ensuring the inclusion of disability-inclusive policy development and programming at all levels. In tandem with the Convention, the outcome document provides a comprehensive policy framework that guides the inclusion of persons with disabilities in all aspects of development.

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[1] Albania, Andorra, Barbados, Burundi, Cambodia, Côte d'Ivoire, Dominica, Georgia, Israel, Japan, Malta, Norway, Palau, Papua New Guinea, Poland, Russian Federation, Singapore and Swaziland.

[2] Afghanistan, Angola, Iraq, Kiribati, Kuwait, State of Palestine, Switzerland, Tuvalu, Venezuela (Bolivarian Republic of) and Zimbabwe.

[3] Bahamas, Chad, Democratic People's Republic of Korea, Guinea-Bissau and Singapore.

[4] Andorra, Burundi, Gabon, Malta and Swaziland.

[5] Afghanistan, Angola, Dominica, Palau, Venezuela (Bolivarian Republic of), and Zimbabwe.

[6] Chad and Guinea-Bissau.

III. Conference of States Parties to the Convention on the Rights of Persons with Disabilities

6. Since the submission of the previous report in August 2012, the Conference of States Parties to the Convention on the Rights of Persons with Disabilities held three sessions at United Nations Headquarters.

7. The fifth session was held from 12 to 14 September 2012, under the theme "Making the Convention of the Rights count for women and children". Thematic debates during the conference were on: "Technology and accessibility", "Children with disabilities", and "Women with disabilities".

8. The sixth session was held on from 17 to 19 July 2013. At the sixth session, States parties focused on the theme "Ensuring an adequate standard of living: empowerment and participation of persons with disabilities within the framework of the Convention on the Rights of Persons with Disabilities" with the subthemes: "Economic empowerment through inclusive social protection and poverty reduction strategies"; "Disability-inclusive development in national, regional and international processes"; and "Community-based rehabilitation and habilitation for an inclusive society".

9. The seventh session was convened from 10 to 12 June 2014. During this most recent session, the thematic discussions were: "Incorporating the provisions of the Convention on the Rights of Persons with Disabilities into the post-2015 development agenda"; "Youth with disabilities"; and "National implementation and monitoring". During the session, nine new members of the Committee on the Rights of Persons with Disabilities were elected to replace those whose terms are due to expire on 31 December 2014.

10. The Conference adopted the three decisions to strengthen its work and to recommend the allocation of the resources necessary for six meetings over full three day for future sessions (see CRPD/CSP/2014/5).

IV. Committee on the Rights of Persons with Disabilities

11. Since the submission of the previous report in August 2012, the Committee on the Rights of Persons with Disabilities has held its eighth (17-28 September 2012), ninth (15-19 April 2013), tenth (2-13 September 2013) and eleventh (31 March-11 April 2014) sessions.

12. At its eighth session, the Committee considered the initial reports received from Argentina, China and Hungary. The Committee had received initial reports from nine countries: Brazil, Chile, Kenya, New Zealand, Portugal, Qatar, Serbia, Slovakia and Ukraine, bringing the total number of reports submitted to 35. During its seventh session, the Committee had decided to devote the years' general discussion to the human rights of women and girls with disabilities. The eighth session was attended by representatives from several United Nations bodies, specialized agencies, regional governing bodies and civil society organizations. Among those were the Council of Europe, the World Health Organization (WHO), the World Intellectual Property Organization and civil society organizations, including the International Disability Alliance and Human Rights Watch. The report of the United Nations High Commissioner for Human Rights on strengthening the

United Nations treaty bodies contained specific proposals for enhancing the accessibility and visibility of treaty bodies at the country level and reaffirmed the intention of the Office of the High Commissioner to make its website more user-friendly and accessible to persons with disabilities.

13. At its ninth session, the Committee considered the initial report received from Paraguay. The Committee adopted lists of issues on the initial reports submitted by Austria, Australia and El Salvador and the forthcoming dialogues with those countries, as well as concluding observations on the initial report of Paraguay. The Committee decided to draft a general comment on women and girls with disabilities as a follow-up to the general discussion on the topic.

14. At its tenth session, the Committee considered the following State reports: Australia, Austria and El Salvador. Furthermore, it adopted lists of issues on the initial reports submitted by Azerbaijan, Costa Rica and Sweden.

15. During the eleventh session, the Committee examined the reports of Azerbaijan, Costa Rica and Sweden. Lists of issues were adopted on the reports from on Belgium, Denmark, Ecuador, Germany, Mexico, New Zealand and the Republic of Korea. The Committee had received 59 reports from States parties to date. The increase in the number of ratifications of the Convention and the Optional Protocol had led to an increase in the Committee's workload. This was addressed in the draft resolution on strengthening and enhancing the effective functioning of the human rights treaty body system, which provides for additional meeting time and resources for capacity-building. The Chair reported on activities that were undertaken since the previous session, which included the high-level meeting on disability and development and the Open Working Group on sustainable development goals. Both meetings highlighted the link between the rights of persons with disabilities and overall social development. Moreover, the Chair participated in several meetings with United Nations officials on mainstreaming the rights of persons with disabilities. Among the other United Nations bodies, specialized agencies and organizations of persons with disabilities that attended the meeting there was general consensus that there had been significant improvements with regard to the rights of persons with disabilities.

V. Activities undertaken in support of the Convention

16. During the reporting period, the Secretariat received 21 submissions from Governments[7] and 10 from agencies[8] within the United Nations system in response to a note verbale. The following section highlights examples of efforts undertaken

[7] Submissions were received from the following Member States: Australia, Austria, Colombia, Denmark, Finland, Greece, Indonesia, Italy, Jordan, Kenya, Mexico, Norway, Philippines, Republic of Moldova, Republic of Korea, Romania, Russian Federation, Singapore, Spain, Sweden, and Switzerland.

[8] Economic Commission for Latin America and the Caribbean (ECLAC), Economic and Social Commission for Asia and the Pacific (ESCAP), Economic and Social Commission for Western Asia (ESCWA), International Labour Organization (ILO), International Telecommunication Union (ITU), United Nations Development Programme (UNDP), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), World Health Organization (WHO) and World Tourism Organization (WTO).

by Member States, by entities within the United Nations system and by civil society organizations to implement the Convention.

A. Member States

17. Member States discussed in their reports new legislative and policy initiatives as well as national action plans and strategies, addressing the concerns of persons with disabilities. In addition, the topics of accessibility; education; employment; health care; social welfare, community rehabilitation and independent living; abuse and violence; and international development cooperation with regard to persons with disabilities were frequently reported on by Member States.

Legislative and policy initiatives

18. A number of Member States reported legislative and policy measures to promote the rights of persons with disabilities, as set out in the Convention:

(a) Finland reported on its recent process for the ratification of the Convention in 2014;

(b) The Russian Federation initiated amendments to new legislation on social security of persons with disabilities, social protection, non-discrimination, reasonable accommodation and accessibility;

(c) Indonesia is taking a human-rights based approach to develop its legislation to advance a disability-inclusive society and development;

(d) Colombia reported on its new legislation in 2013 to promote the rights of persons with disabilities. Kenya is currently reviewing national legislation with a view to strengthening its legal framework in line with the Convention;

(e) Singapore announced new policies to improve accessibility to transportation, preschool education and services, and tax subsidies for those who provide care to persons with disabilities;

(f) Norway increased funding for inclusive education by 15 per cent.

National action plans and strategies

19. A number of Member States reported inclusion of disability as a priority in national development plans, programmes and policies:

(a) Romania reported on issuance of a national strategy to enhance the social inclusion of persons with disabilities;

(b) Mexico recently issued a national development plan for 2014-2018 for inclusion of persons with disabilities in development efforts. Indonesia has identified persons with disabilities as a priority in their draft National Mid-Term Development Plan for 2015-2019 and recently developed a National Action Plan on Disabilities for 2013-2022;

(c) Colombia reported on strengthened efforts to mainstream disability in key public policy areas for early childhood development, family, ageing and old age, gender, conflict victims as well as in health, education, employment, culture, recreation, sport, information, communication and technology policies. In addition,

the Government issued a new National Policy of Disability and Social Inclusion for 2014-2022;

(d) Sweden made efforts to ensure that their local authorities are able to implement the national strategic plan on disability;

(e) Singapore developed an enabling master plan 2012-2016, to assist persons with disabilities across their various life stages to empower them to lead independent lives and contribute to society.

(f) The Philippines formulated a National Plan of Action 2013-2022 to implement the Incheon strategy.[9]

Accessibility

20. Member States underscored the importance of accessibility for persons with disabilities in the outcome document of the High-level Meeting on Disability and Development (resolution 68/3) by highlighting the significance of universal design, the removal of barriers to the physical environment, transportation, information and communications technologies (ICTs), as well as an essential component in humanitarian responses to emergency situations.

21. Many Member States reported on improved accessibility for persons with disabilities:

(a) The Republic of Moldova is implementing measures to improve national infrastructure construction in compliance with international and European accessibility standards;

(b) Australia issued new premises standards, the minimum national standards for accessibility requirements for access and use of buildings by persons with disabilities;

(c) Indonesia improved accessibility for persons with disabilities in public buildings and facilities, including for its parliamentary election;

(d) Jordan reported on its current efforts to improve national building code requirements for persons with disabilities;

(e) Kenya is mainstreaming disability in public service programmes for improving access to public infrastructure and supporting devices;

(f) Romania initiated a national study on accessibility of the physical and ICT environments for persons with disabilities, recommending further investment for improvement;

(g) The Russian Federation reported on its progress for reasonable accommodation by service providers to improve accessibility to transportation and public services and facilities for persons with audiovisual impairments and for wheelchair users;

(h) Singapore announced to reduce the cost of transportation for persons with disabilities;

[9] ESCAP, *Incheon Strategy to Make the Right Real for persons with disabilities in Asia and the Pacific* (Bangkok, November 2012).

(i) The Philippines improved accessibility, encouraging participation of persons with disabilities, with a focus on the rural areas.

Education

22. In paragraph 4(d) of the outcome document of the High-level Meeting on Disability and Development (resolution 68/3), Member States underlined the urgent need to recognize the right to education based on equality and non-discrimination by making primary education accessible, free and compulsory, and available to all children with disabilities on an equal basis with others. Some States reported on measures to improve access to education for persons with disabilities. It was noted by a number of States that children with disabilities continue to demonstrate lower participation in education and face multiple barriers to accessing education, including preschool and primary education:

(a) The Republic of Moldova strengthened efforts to implement its inclusive Education Code and adopted an Inclusive Education Development Programme for 2011-2020, which establishes a policy framework for continuous adaptation of the national education system to respond to the needs of children with disabilities;

(b) Jordan is preparing a five-year plan to improve inclusion of persons with physical, hearing, visual and mild and moderate intellectual disabilities in the educational and learning system.

(c) Norway strengthened efforts to improve access to education for children with disabilities and has increased federal funding for education.

(d) Singapore recently announced subsidy increases to support early intervention programmes for preschool children with disabilities.

Employment

23. In paragraph 4(g) of the outcome document of the high-level meeting in disability and development (resolution 68/3), the General Assembly encouraged Member States in 2013 to ensure equal access to full and productive employment and decent work on an equal basis and without discrimination to persons with disabilities, including by promoting skills development and vocational and entrepreneurial training.

24. Several States reported strengthened efforts to improve access to employment and decent work. States reported innovations in strategies to support the employability and access to employment of persons with disabilities, which build on existing quota-based systems and reasonable accommodation support:

(a) Australia reported the establishment of disability support pension employment incentive pilots and an innovation fund to support the removal of barriers to employment under its national mental health and disability employment strategy;

(b) Kenya is developing a database to record and match the skills of youth with disabilities to the job market. Kenya is also implementing a national development fund for persons with disability to support youth with disabilities to participate in technical and vocational training and to start their own enterprises;

(c) The Republic of Korea highlighted the introduction of a mandatory employment quota system for employers;

(d) Singapore established a dedicated agency to enhance employability and increase employment opportunities for persons with disabilities.

Health care

25. In paragraph 4(e) of the outcome document of the High-level Meeting on Disability and Development (resolution 68/3), Member States stressed that primary health care and specialized services should be made available for persons with disabilities. In this regard, a number of States reported health care and service initiatives:

(a) Australia reported on efforts to strengthen the mental health service system including an expansion of youth-friendly mental health services for young people;

(b) Colombia mainstreamed disability in public policies related to health;

(c) The Russian Federation issued policies to ensure people with disabilities have the right to free provision of rehabilitation equipment;

(d) Singapore expanded its national health insurance scheme and included universal coverage for all in 2015.

Social welfare, community rehabilitation and independent living

26. Several States reported efforts to improve social assistance, community rehabilitation and integration and independent living of persons with disabilities:

(a) Jordan recently piloted a group homes project for young men with intellectual disabilities who were previously institutionalized, to promote independent living and employment within communities;

(b) The Republic of Moldova issued a range of regulations and minimum quality standards to support persons with disabilities to live independently and to assist them to reintegrate into society following rehabilitation. The Republic of Moldova also highlighted the implementation of a national integrated social service system that expands community based and specialized social services;

(c) Colombia formulated a national implementation strategy and guidelines for community-based rehabilitation;

(d) The Russian Federation established a coordination mechanism for rehabilitation and social integration of persons with disabilities;

(e) Indonesia and Kenya reported increases in funding for community and family-based care and rehabilitation for persons with disabilities;

(f) Kenya and the Republic of Korea reported on their cash transfer programmes for persons with severe disabilities;

(g) Singapore announced an increase in tax reliefs for family member caring for persons with severe disabilities.

Abuse and violence against persons with disabilities

27. Persons with disabilities are vulnerable to abuse and violence. It was noted in a number of reports that persons with disabilities, in particular women and girls with disabilities, are more vulnerable to exploitation, violence and abuse. Some States reported specific initiatives to address violence against persons with disabilities:

(a) Australia issued a National Plan to Reduce Violence against Women and their Children, which is responsive to the identified needs of women and girls with disabilities;

(b) Jordan reported on recent training of national officers in the ministries of education, social development and health on protection of persons with disabilities from abuse and violence and on sexual awareness for persons with disabilities;

(c) Norway recently published a study on violence and abuse of persons with disabilities in close relationships, which pointed to various shortcomings in the current provision of services;

(d) Australia also initiated research on violence against women with disabilities in Cambodia.

International development cooperation

28. Increased efforts are being made with regard to disability-inclusive international development cooperation in line with the outcome document of the High-level Meeting on Disability and Development and in conjunction with the ongoing work relating to a disability-inclusive development agenda towards 2015 and beyond. In this context, persons with disabilities should be agents and beneficiaries of international cooperation.

29. A shift towards including disability in development and international cooperation has become more common. Disability mainstreaming in addition to the funding of targeted programmes for persons with disabilities occurs more frequently. Many donor countries stressed the need to incorporate disability in international aid and development programmes:

(a) Australia established a team to work on the integration of disability in aid programmes and recently announced that a new disability-inclusive development strategy would be prepared in 2014;

(b) Austria created a task force on inclusion and highlighted its human rights-based and twin-track-approach to disability in international development programmes;

(c) In Denmark, Strategy for Humanitarian Action 2010-2015, explicitly includes persons with disabilities as a particularly vulnerable and prioritized group;

(d) Norway prioritizes the promotion of the rights of persons with disabilities in areas such as education, humanitarian efforts, health and gender equality in its international development cooperation framework;

(e) The Republic of Korea revised its Framework Act on International Development Cooperation in 2013 to include disability as a cross-cutting issue;

(f) Spain incorporated a specific indicator for disabilities in its development database system to enable monitoring of the impact of projects on persons with disabilities;

(g) Sweden established a Platform on Development Cooperation, in March 2014, which identifies persons with disabilities as one of five prioritized groups to receive its aid;

(h) Italy included recommendations from its disability action plan in its development cooperation programming guidelines for 2014-2016. Italy also presented this action plan to member States of the European Union for the harmonization of European Union policies in the field of disability;

(i) Finland continues to promote disability in its international cooperation work through a multitrack approach, which involves a combination of mainstreaming, targeted programmes and the inclusion of disability in multilateral dialogues. The Finnish international cooperation programme also increased funding for disability projects by 3 million euros.

Challenges

30. Although significant progress has been made in a number of areas, further efforts are required for implementation of the Convention in all areas, including: promoting political participation of persons with disabilities; recognizing legal capacity and providing for equal recognition before the law; replacing substitute decision-making paradigms with models that are based on supported decision-making; and interpreting article 12 of the Convention, as recently noted by the Committee on the Rights of Persons with Disabilities in its general comment No. 1 (2014) (see CRPD/C/GC/1).

31. Member States also addressed obstacles to the effective implementation of the Convention. For example, many States, at the seventh session of the Conference of States Parties to the Convention, recognized a lack of high-quality, sufficiently disaggregated and internationally comparable data on the status of persons with disabilities at the national level. To monitor the implementation of the Convention and the realization of any internationally agreed development goals for persons with disabilities, and to support evidence-based and responsive policymaking, data need to be strengthened. Several Member States reported efforts to improve their knowledge base on the situation of persons with disabilities.

32. Colombia, Jordan, Norway, the Republic of Korea, and Romania reported a wide range of research activities, including on specific groups of persons with disabilities and the integration of disability in national surveys in line with guidance provided by the Washington Group on Disability Statistics, as well as surveys, including the WHO model disability survey. Australia, in this regard, addressed the need to strengthen research on disability through its aid and development programmes in the Asia-Pacific region.

B. United Nations system

33. Over the reporting period, the United Nations system strengthened efforts to support Member States in the implementation of the Convention through technical cooperation, capacity-building and awareness-raising.

34. A significant focus of United Nations entities during the reporting period was on promoting and assisting Member States to build their knowledge on disability. This involved technical cooperation to support the collection and analysis of data and promotion of regional platforms and networks for knowledge-sharing and collective actions. United Nations entities have taken disability-inclusive approaches within their internal programming, planning and strategic frameworks and are responding to the needs of Member States to develop capacity for disability-inclusive development in a wide range of programmes.

Establishing mechanisms to mainstream disability in global programmes

35. Since the previous report of the Secretary General (A/67/281), United Nations entities have continued efforts to promote disability within their respective areas of work. Several agencies are continuing to include disability in programming and technical cooperation activities. Many agencies are also pursuing research and targeted technical cooperation.

36. ILO is developing a strategy and action plan on disability inclusion. The strategy and action plan seek to reinforce disability inclusion as a cross-cutting issue throughout its work.

37. UN-Women issued a new strategic plan for 2014-2017, which refers to women and girls with disabilities as one of the poorest and most excluded groups warranting specific and special attention in the organization's activities. This strategic plan will support the systematic mainstreaming of disability.

38. UNDP focused on strengthening internal technical competencies of United Nations staff in country teams to better respond to and provide technical assistance to Member States within the context of the implementation of the joint United Nations Partnership to Promote the Rights of Persons with Disabilities.

39. In follow up to the World Health Assembly resolution on disability in 2011, WHO developed a global disability action plan for 2014-2021, which promotes the removal of barriers and improved access to health services and programmes, strengthened and extended rehabilitation, habilitation, assistive technology, assistance and support services and community-based rehabilitation and strengthened collection of relevant and internationally comparable data on disability.

Promotion of accessibility

40. Accessibility is both a means and the goal for the inclusion and participation of persons with disabilities in society and development. The United Nations system has improved accessibility to information, materials, meetings and platforms. The Secretariat inaugurated its Accessibly Centre in conjunction with the observance of the International Day of Persons with Disabilities in December 2013.

41. The Interdepartmental Task Force on Accessibility (see A/67/281, paras. 21-23) worked to develop a comprehensive policy on accessibility for the United Nations Secretariat, which was realized with the promulgation of the Secretary-General's bulletin of 19 June 2014 on the employment and accessibility for staff members with disabilities in the United Nations Secretariat (ST/SGB/2014/3). The Secretary-General's bulletin will enable the Organization to take appropriate measures to eliminate discrimination on the basis of disability in the Secretariat through, among others, the adoption of standards and guidelines for the Secretariat, in order to

ensure that staff members with disabilities have access to physical facilities, conferences and services, documentation and information, and professional development, as well as through measures to alleviate other disproportionate disability-related burden on staff with disabilities. Such measures are expected to be taken within existing resources or with additional resources approved for this purpose by the General Assembly.

42. The United Nations system continued efforts to improve accessibility and the full and equal participation of persons with disabilities in all aspects of the work of the Organization. The Department of Economic and Social Affairs, which served as the secretariat to the high-level meeting on disability and development, together with the Nippon Foundation, collaborated for the production of the outcome document of the high-level meeting in accessible multimedia formats. Efforts are also being made by the Secretariat and United Nations regional commissions to provide sign language, real-time captioning and Braille interpretation services at global, regional and interregional meetings.

43. ESCAP enhanced the accessibility of facilities and services, including progress towards development of an accessibility centre in Bangkok.

44. ITU and UNESCO continue to promote accessibility to information and communications technologies for persons with disabilities. UNESCO developed and launched the Model Policy for Inclusive ICTs in Education for Persons with Disabilities, in February 2014. The Model Policy serves as a practical resource for Governments in developing and implementing national policies. ITU recently released a global report entitled *Universal service funds and digital inclusion for all*, and has continued to promote and facilitate knowledge exchanges on the relevance of ICT accessibility in global and regional events.

Awareness-raising

45. The International Day of Persons with Disabilities was commemorated at United Nations Headquarters and around the world in regional and country-level offices of the United Nations. The Day's theme in 2013 was "Break barriers, open doors: for an inclusive social and development for all", building on the outcome document of the High-Level Meeting on Disability and Development, to further raise awareness of disability and accessibility as a cross-cutting development issue. In observance of the Day, the Department of Economic and Social Affairs organized a number of events, including discussions, performances and a film screening promoting messages of inclusion for persons with disabilities. The Department also collaborated with the United Nations Foundation and GivingTuesday.org to promote volunteerism for persons with disabilities to fully participate in society and development as beneficiaries and leaders.

46. The Department of Economic and Social Affairs continued to serve as a focal point on disability within the United Nations system in the field of disability. Panel discussions, seminars, expert group meetings and consultations with civil society organizations, in particular organizations of persons with disabilities, were organized by the Department to advance knowledge and understanding on the implementation of the Convention and raise awareness on its normative content. A major focus during the past year involved the disability-inclusive global development agenda, and pursing innovations for disability statistics through the

facilitation of discussions with all stakeholders and in collaboration with the Washington Group on Disability Statistics.

47. The United Nations regional commissions continued to promote ratification and implementation of the Convention and the Optional Protocol. Immediately following the High-level Meeting in September, the Bolivarian Republic of Venezuela ratified the Convention. In October 2013, ESCWA organized a regional conference on disability to promote enhanced knowledge and policy for the implementation of the Convention in the region. At the end of the conference, participants adopted an outcome document reaffirming the Convention as the guiding framework for the protection, promotion and advancement of the rights of persons with disabilities in the region and outlined steps for its promotion. ESCAP continued to promote the Make the Right Real! campaign in Asia and the Pacific and received endorsement of the Incheon Strategy to "Make the Right Real" for Persons with Disabilities, at the sixty-ninth session of the ESCAP Commission, in 2013. Since the endorsement, an additional seven countries in the region have ratified the Convention.

48. Awareness-raising activities were also conducted by United Nations system agencies on a wide range of priority issues. A joint United Nations statement[10] on ending violence against women and girls was issued in March 2013, which included a reference to women and girls with disabilities as a particularly vulnerable group. Efforts to incorporate the intersection of gender and disability in international agreements were successfully undertaken.[11] ILO continued to coordinate its Global Business and Disability Network to promote the business case for employment of persons with disabilities. UNESCO successfully promoted improved access to World Heritage sites for persons with disabilities, with site managers at 981 World Heritage properties. ITU is collaborating with the International Paralympic Committee for a global campaign to promote access to services and broadcasting for persons with disabilities by 2016.

Research and technical cooperation for Member States to strengthen the knowledge base on disability

49. The Department of Economic and Social Affairs organized a number of events and panel discussions to advance evidenced-based policy and practice for disability-inclusive development during the period under review.[12] Most recently, the Department organized an expert group meeting to analyse the current status of disability statistics and make recommendations for action to strengthen data collection efforts to promote evidence-based policy making as a contribution towards the implementation of the outcome document of the High Level Meeting on Disability and Development.

50. The recommendations from the meeting emphasized the urgent need for coordination among United Nations entities to address data gaps and revise methods of data collection, synthesis and reporting, with a view to improving the coverage of topics, timeliness and data comparability taking into account the specific situation

[10] See www.unicef.org/media/media_68116.html.

[11] See the agreed conclusions adopted by the Commission on the Status of Women at its fifty-eighth session (E/2014/27-E/CN.6/2014/15) and the outcome document of the High-level Meeting on Disability and Development.

[12] See www.un.org/disabilities/.

of persons with disabilities. ESCWA conducted an in-depth study in cooperation with the League of Arab States on disability statistics that gathered qualitative information related to disability in the region. ESCAP reported that Governments in Asia and the Pacific are increasingly aware of the importance of statistics in evidence-based policymaking and reported on improved collection of disability prevalence data in the region. A number of countries, with ILO technical cooperation, have incorporated in national labour force surveys, the set of questions developed by the Washington Group, in accordance with the decisions taken by the United Nations Statistical Commission.

51. United Nations system agencies and the United Nations Partnership for the Rights of Persons with Disabilities have been supporting capacity-building of national statistical offices in the design, collection and management of national statistics on the status of persons with disabilities, as well as targeted research and analysis. The Partnership's support has already resulted in the inclusion of disability statistics as a priority issue in the fourth Regional Meeting of Heads of Planning and Heads of Statistics in the Pacific Region and a decision to include disability in the online National Minimum Development Indicator Database of the Secretariat of the Pacific Community. The online database will support the standardization and harmonization of disability statistics across Pacific island countries.

Technical cooperation and assistance to promote disability-inclusive development

52. The United Nations system continued to support Member States through technical cooperation during the reporting period. The UNDP-coordinated inter-agency technical cooperation programme of the United Nations Partnership for the Rights of Persons with Disabilities provided a first round of funding, with joint projects initiated in 2013 in Costa Rica, Indonesia, Mozambique, the Republic of Moldova, South Africa, State of Palestine, Togo, Tunisia and Ukraine and in various Pacific islands. The Partnership programme will expand in 2014 to cover additional projects.

53. In addition to supporting implementation of the Partnership, ILO carried out a number of technical cooperation projects focused on promoting improved legislation for the equalization of opportunities for persons with disabilities in employment in Botswana, China, Ethiopia, Indonesia, Viet Nam and Zambia.

54. The UN-Women Trust Fund to end violence against women focused on marginalized groups, including women with disabilities. Projects were implemented to address violence against women with disabilities in Cameroon, Lesotho, Namibia and Nigeria. UN-Women also undertook a number of initiatives to improve the quality of life of women with disabilities in the Republic of Moldova, Sierra Leone, Tajikistan, the former Yugoslav Republic of Macedonia and Uruguay.

55. UNESCO conducted a number of technical cooperation programmes, related to Mongolia. WHO is developing an interactive online training package to support capacity building of managers in community-based rehabilitation centres.

56. The World Tourism Organization updated its 2005 recommendations to incorporate relevant provisions of the Convention and universal design. A *Manual on Accessible Tourism for All: Public-Private Partnerships and Good Practices* was published in March 2014, featuring technical advice for the inclusion of both cultural and natural heritage assets into the accessible tourism value chain.

57. The United Nations system has continued to advance disability-inclusive development approaches, including through technical cooperation to Member States. The United Nations system is improving the coordination and implementation of disability mainstreaming efforts across all programmes and areas of work, including responses to humanitarian and other crises. There is also a space for the United Nations system to focus on technical cooperation such as disability-inclusive finance, access to justice, legal capacity of persons with disabilities and the development of models for supportive decision-making. The promotion of the inclusion of disability as a cross-cutting issue and stand-alone priority in existing and emerging modalities for international technical cooperation could be strengthened. Noting success over the previous reporting period in terms of building the knowledge base on disability, greater efforts to support Member States to institutionalize and harmonize methods for collecting and disaggregating data on the status of persons with disabilities are needed.

C. Civil society organizations

58. Civil society organizations and organizations of persons with disabilities, in particular, continue to be both agents and beneficiaries in the context of the implementation of the Convention at the international, regional and national levels.

59. More than 650 representatives from civil society organizations participated in the seventh session of the Conference of States Parties to the Convention, held in June 2014. Numerous civil society organizations took the floor and expressed their opinion on how the Convention could be further implemented by States parties. Forty-two side-events were organized on a number of thematic topics, ranging from discrimination; technology; sports; laws and policies for persons with disabilities; full and effective participation; accessibility; education; women, children and youth with disabilities; rights; regional cooperation; attitudes and stereotypes; disability and innovation; and creating equal opportunities for persons with disabilities, among others. Addressing such a variety of topics calls for attention on how corresponding policies would need to be designed, implemented and monitored for the implementation of the Convention. In addition, two major forums were organized by civil society organizations: a civil society forum and a global forum on disability preceded the seventh session of the Conference of States Parties. The DESA Forum, a multi-stakeholder partnership forum on development and disability, was co-organized by Governments, civil society organizations and the private sector with a view to developing informal networks of new and traditional stakeholders, and held in June 2014. More than 100 participants attended the discussion sessions. The specific focus of the 2014 Forum was disability, disaster risk reduction and resilience and financial inclusion of disability in the context of a disability-inclusive post 2015 development agenda.

Annex

List of signatories, ratifications or accessions to the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, as at 1 July 2014

A. Convention on the Rights of Persons with Disabilities

Participant	*Signature*	*Ratification or accession*
Afghanistan		18 September 2012*
Albania	22 December 2009	11 February 2013
Algeria	30 March 2007	4 December 2009
Andorra	27 April 2007	11 March 2014
Angola		19 May 2014*
Antigua and Barbuda	30 March 2007	
Argentina	30 March 2007	2 September 2008
Armenia	30 March 2007	22 September 2010
Australia	30 March 2007	17 July 2008
Austria	30 March 2007	26 September 2008
Azerbaijan	9 January 2008	28 January 2009
Bahamas	24 September 2013	
Bahrain	25 June 2007	22 September 2011
Bangladesh	9 May 2007	30 November 2007
Barbados	19 July 2007	27 February 2013
Belgium	30 March 2007	2 July 2009
Belize	9 May 2011	2 June 2011
Benin	8 February 2008	5 July 2012
Bhutan	21 September 2010	
Bolivia (Plurinational State of)	13 August 2007	16 November 2009
Bosnia and Herzegovina	29 July 2009	12 March 2010
Brazil	30 March 2007	1 August 2008
Brunei Darussalam	18 December 2007	
Bulgaria	27 September 2007	22 March 2012

Participant	*Signature*	*Ratification or accession*
Burkina Faso	23 May 2007	23 July 2009
Burundi	26 April 2007	22 May 2014
Cambodia	1 October 2007	20 December 2012
Cameroon	1 October 2008	
Canada	30 March 2007	11 March 2010
Cape Verde	30 March 2007	10 October 2011
Central African Republic	9 May 2007	
Chad	26 September 2012	
Chile	30 March 2007	29 July 2008
China	30 March 2007	1 August 2008
Colombia	30 March 2007	10 May 2011
Comoros	26 September 2007	
Congo	30 March 2007	
Cook Islands		8 May 2009*
Costa Rica	30 March 2007	1 October 2008
Côte d'Ivoire	7 June 2007	10 January 2014
Croatia	30 March 2007	15 August 2007
Cuba	26 April 2007	6 September 2007
Cyprus	30 March 2007	27 June 2011
Czech Republic	30 March 2007	28 September 2009
Denmark	30 March 2007	24 July 2009
Djibouti		18 June 2012*
Dominica	30 March 2007	1 October 2012
Dominican Republic	30 March 2007	18 August 2009
Democratic People's Republic of Korea	3 July 2013	
Ecuador	30 March 2007	3 April 2008
Egypt	4 April 2007	14 April 2008
El Salvador	30 March 2007	14 December 2007
Estonia	25 September 2007	30 May 2012

Participant	*Signature*	*Ratification or accession*
Ethiopia	30 March 2007	7 July 2010
European Union	30 March 2007	23 December 2010
Fiji	2 June 2010	
Finland	30 March 2007	
France	30 March 2007	18 February 2010
Gabon	30 March 2007	1 October 2007
Georgia	10 July 2009	13 March 2014
Germany	30 March 2007	24 February 2009
Ghana	30 March 2007	31 July 2012
Greece	30 March 2007	31 May 2012
Grenada	12 July 2010	
Guatemala	30 March 2007	7 April 2009
Guinea	16 May 2007	8 February 2008
Guinea-Bissau	24 September 2013	
Guyana	11 April 2007	
Haiti		23 July 2009*
Honduras	30 March 2007	14 April 2008
Hungary	30 March 2007	20 July 2007
Iceland	30 March 2007	
India	30 March 2007	1 October 2007
Indonesia	30 March 2007	30 November 2011
Iran (Islamic Republic of)		23 October 2009*
Iraq		20 March 2013
Ireland	30 March 2007	
Israel	30 March 2007	28 September 2012
Italy	30 March 2007	15 May 2009
Jamaica	30 March 2007	30 March 2007
Japan	28 September 2007	20 January 2014
Jordan	30 March 2007	31 March 2008

Participant	*Signature*	*Ratification or accession*
Kazakhstan	11 December 2008	
Kenya	30 March 2007	19 May 2008
Kiribati		27 September 2013*
Kuwait		22 August 2013*
Kyrgyzstan	21 September 2011	
Lao People's Democratic Republic	15 January 2008	25 September 2009
Latvia	18 July 2008	1 March 2010
Lebanon	14 June 2007	
Lesotho		2 December 2008*
Liberia	30 March 2007	26 July 2012
Libya	1 May 2008	
Lithuania	30 March 2007	18 August 2010
Luxembourg	30 March 2007	26 September 2011
Madagascar	25 September 2007	
Malawi	27 September 2007	27 August 2009
Malaysia	8 April 2008	19 July 2010
Maldives	2 October 2007	5 April 2010
Mali	15 May 2007	7 April 2008
Malta	30 March 2007	10 October 2012
Mauritania		3 April 2012*
Mauritius	25 September 2007	8 January 2010
Mexico	30 March 2007	17 December 2007
Micronesia (Federated States of)	23 September 2011	
Monaco	23 September 2009	
Mongolia		13 May 2009*
Montenegro	27 September 2007	2 November 2009
Morocco	30 March 2007	8 April 2009
Mozambique	30 March 2007	30 January 2012
Myanmar		7 December 2011*

Participant	*Signature*	*Ratification or accession*
Namibia	25 April 2007	4 December 2007
Nauru		27 June 2012*
Nepal	3 January 2008	7 May 2010
Netherlands	30 March 2007	
New Zealand	30 March 2007	25 September 2008
Nicaragua	30 March 2007	7 December 2007
Niger	30 March 2007	24 June 2008
Nigeria	30 March 2007	24 September 2010
Norway	30 March 2007	3 June 2013
Oman	17 March 2008	6 January 2009
Pakistan	25 September 2008	5 July 2011
Palau	20 September 2011	11 June 2013
Panama	30 March 2007	7 August 2007
Papua New Guinea	2 June 2011	26 September 2013
Paraguay	30 March 2007	3 September 2008
Peru	30 March 2007	30 January 2008
Philippines	25 September 2007	15 April 2008
Poland	30 March 2007	25 September 2012
Portugal	30 March 2007	23 September 2009
Qatar	9 July 2007	13 May 2008
Republic of Korea	30 March 2007	11 December 2008
Republic of Moldova	30 March 2007	21 September 2010
Romania	26 September 2007	31 January 2011
Russian Federation	24 September 2008	25 September 2012
Rwanda		15 December 2008*
Saint Lucia	22 September 2011	
Saint Vincent and the Grenadines		29 October 2010*
San Marino	30 March 2007	22 February 2008
Saudi Arabia		24 June 2008*

Participant	*Signature*	*Ratification or accession*
Senegal	25 April 2007	7 September 2010
Serbia	17 December 2007	31 July 2009
Seychelles	30 March 2007	2 October 2009
Sierra Leone	30 March 2007	4 October 2010
Singapore	30 November 2012	18 July 2013
Slovakia	26 September 2007	26 May 2010
Slovenia	30 March 2007	24 April 2008
Solomon Islands	23 September 2008	
South Africa	30 March 2007	30 November 2007
Spain	30 March 2007	3 December 2007
Sri Lanka	30 March 2007	
State of Palestine		2 April 2014*
Sudan	30 March 2007	24 April 2009
Suriname	30 March 2007	
Swaziland	25 September 2007	24 September 2012
Sweden	30 March 2007	15 December 2008
Switzerland		15 April 2014*
Syrian Arab Republic	30 March 2007	10 July 2009
Thailand	30 March 2007	29 July 2008
The former Yugoslav Republic of Macedonia	30 March 2007	29 December 2011
Togo	23 September 2008	1 March 2011
Tonga	15 November 2007	
Trinidad and Tobago	27 September 2007	
Tunisia	30 March 2007	2 April 2008
Turkey	30 March 2007	28 September 2009
Turkmenistan		4 September 2008*
Tuvalu		18 December 2013*
Uganda	30 March 2007	25 September 2008
Ukraine	24 September 2008	4 February 2010

Participant	*Signature*	*Ratification or accession*
United Arab Emirates	8 February 2008	19 March 2010
United Kingdom of Great Britain and Northern Ireland	30 March 2007	8 June 2009
United Republic of Tanzania	30 March 2007	10 November 2009
United States of America	30 July 2009	
Uruguay	3 April 2007	11 February 2009
Uzbekistan	27 February 2009	
Vanuatu	17 May 2007	23 October 2008
Venezuela (Bolivarian Republic of)		24 September 2013*
Viet Nam	22 October 2007	
Yemen	30 March 2007	26 March 2009
Zambia	9 May 2008	1 February 2010
Zimbabwe		23 September 2013*

* Accession.

B. Optional Protocol to the Convention on the Rights of Persons with Disabilities

Participant	*Signature*	*Ratification or accession*
Afghanistan		18 September 2012*
Algeria	30 March 2007	
Andorra	27 April 2007	11 March 2014
Angola		19 May 2014*
Antigua and Barbuda	30 March 2007	
Argentina	30 March 2007	2 September 2008
Armenia	30 March 2007	
Australia		21 August 2009*
Austria	30 March 2007	26 September 2008
Azerbaijan	9 January 2008	28 January 2009
Bangladesh		12 May 2008*
Belgium	30 March 2007	2 July 2009
Benin	8 February 2008	5 July 2012
Bolivia (Plurinational State of)	13 August 2007	16 November 2009
Bosnia and Herzegovina	29 July 2009	12 March 2010
Brazil	30 March 2007	1 August 2008
Bulgaria	18 December 2008	
Burkina Faso	23 May 2007	23 July 2009
Burundi	26 April 2007	22 May 2014
Cambodia	1 October 2007	
Cameroon	1 October 2008	
Central African Republic	9 May 2007	
Chad	26 September 2012	
Chile	30 March 2007	29 July 2008
Congo	30 March 2007	
Cook Islands		8 May 2009*
Costa Rica	30 March 2007	1 October 2008
Côte d'Ivoire	7 June 2007	

Participant	*Signature*	*Ratification or accession*
Croatia	30 March 2007	15 August 2007
Cyprus	30 March 2007	27 June 2011
Czech Republic	30 March 2007	
Djibouti		18 June 2012*
Dominica		1 October 2012*
Dominican Republic	30 March 2007	18 August 2009
Ecuador	30 March 2007	3 April 2008
El Salvador	30 March 2007	14 December 2007
Estonia		30 May 2012*
Fiji	2 June 2010	
Finland	30 March 2007	
France	23 September 2008	18 February 2010
Gabon	25 September 2007	26 June 2014
Georgia	10 July 2009	
Germany	30 March 2007	24 February 2009
Ghana	30 March 2007	31 July 2012
Greece	27 September 2010	31 May 2012
Guatemala	30 March 2007	7 April 2009
Guinea	31 August 2007	8 February 2008
Guinea-Bissau	24 September 2013	
Haiti		23 July 2009*
Honduras	23 August 2007	16 August 2010
Hungary	30 March 2007	20 July 2007
Iceland	30 March 2007	
Italy	30 March 2007	15 May 2009
Jamaica	30 Marcl 2007	
Jordan	30 March 2007	
Kazakhstan	11 December 2008	
Latvia	22 January 2010	31 August 2010
Lebanon	14 June 2007	

Participant	*Signature*	*Ratification or accession*
Liberia	30 March 2007	
Lithuania	30 March 2007	18 August 2010
Luxembourg	30 March 2007	26 September 2011
Madagascar	25 September 2007	
Mali	15 May 2007	7 April 2008
Malta	30 March 2007	10 October 2012
Mauritania		3 April 2012*
Mauritius	25 September 2007	
Mexico	30 March 2007	17 December 2007
Mongolia		13 May 2009*
Montenegro	27 September 2007	2 November 2009
Morocco		8 April 2009*
Mozambique		30 January 2012*
Namibia	25 April 2007	4 December 2007
Nepal	3 January 2008	7 May 2010
Nicaragua	21 October 2008	2 February 2010
Niger	2 August 2007	24 June 2008
Nigeria	30 March 2007	24 September 2010
Palau		11 June 2013*
Panama	30 March 2007	7 August 2007
Paraguay	30 March 2007	3 September 2008
Peru	30 March 2007	30 January 2008
Portugal	30 March 2007	23 September 2009
Qatar	9 July 2007	
Romania	25 September 2008	
Rwanda		15 December 2008*
Saint Vincent and the Grenadines		29 October 2010*
San Marino	30 March 2007	22 February 2008
Saudi Arabia		24 June 2008*
Senegal	25 April 2007	

Participant	*Signature*	*Ratification or accession*
Serbia	17 December 2007	31 July 2009
Seychelles	30 March 2007	
Sierra Leone	30 March 2007	
Slovakia	26 September 2007	26 May 2010
Slovenia	30 March 2007	24 April 2008
Solomon Islands	24 September 2009	
South Africa	30 March 2007	30 November 2007
Spain	30 March 2007	3 December 2007
Sudan		24 April 2009*
Swaziland	25 September 2007	24 September 2012
Sweden	30 March 2007	15 December 2008
Syrian Arab Republic		10 July 2009*
The former Yugoslav Republic of Macedonia	29 July 2009	29 December 2011
Togo	23 September 2008	1 March 2011
Tunisia	30 March 2007	2 April 2008
Turkey	28 September 2009	
Turkmenistan		10 November 2010*
Uganda	30 March 2007	25 September 2008
Ukraine	24 September 2008	4 February 2010
United Arab Emirates	12 February 2008	
United Kingdom of Great Britain and Northern Ireland	26 February 2009	7 August 2009
United Republic of Tanzania	29 September 2008	10 November 2009
Uruguay		28 October 2011*
Venezuela (Bolivarian Republic of)		24 September 2013*
Yemen	11 April 2007	26 March 2009
Zambia	29 September 2008	
Zimbabwe		23 September 2013*

* Accession.

United Nations A/69/285*

General Assembly

Distr.: General
11 August 2014

Original: English

Sixty-ninth session
Item 69 (a) of the provisional agenda**
Promotion and protection of human rights

Implementation of human rights instruments

Note by the Secretary-General

Summary

The Secretary-General has the honour to transmit to the General Assembly the report of the Chairs of the human rights treaty bodies on their twenty-sixth meeting, held in Geneva from 23 to 27 June 2014, pursuant to Assembly resolution 57/202.

* Reissued for technical reasons on 10 September 2014.
** A/69/150.

14-58942* (E) 100914

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Report of the Chairs of the human rights treaty bodies on their twenty-sixth meeting

Summary

The General Assembly, in its resolution 57/202, requested the Secretary-General to submit to the Assembly the reports of the Chairs of the human rights treaty bodies on their periodic meetings. The present document contains the report on the twenty-sixth meeting of the Chairs of the United Nations human rights treaty bodies, which was convened in Geneva from 23 to 27 June 2014. The meeting of the Chairs, convened annually pursuant to Assembly resolution 49/178, considered the implementation of Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, as well as follow-up to the recommendations of the twenty-fifth meeting of Chairs. The Chairs' decisions and recommendations are contained in section VII of the present report.

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I. Introduction

1. The twenty-sixth meeting of the Chairs of the human rights treaty bodies was held in Geneva from 23 to 27 June 2014. The meetings are convened annually pursuant to General Assembly resolution 49/178.

II. Organization of the meeting

2. The meeting was attended by the Chairs of the following bodies: Committee on the Elimination of Racial Discrimination (Jose Francisco Cali Tzay); Committee on Economic, Social and Cultural Rights (Zdzislaw Kedzia); Human Rights Committee (Sir Nigel Rodley); Committee on the Elimination of Discrimination against Women (Nicole Ameline); Committee on the Rights of the Child (Kirsten Sandberg); Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (Francisco Carrion Mena); Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Malcolm Evans); Committee on the Rights of Persons with Disabilities (Maria Soledad Cisternas Reyes); and the Committee on Enforced Disappearances (Emmanuel Decaux). The Committee against Torture was represented by its Vice-Chair (Felice Gaer).

3. The Director of the Human Rights Treaties Division of the Office of the United Nations High Commissioner for Human Rights, Ibrahim Salama, opened the meeting and welcomed the Chairs. He proceeded with the election of officers, and made reference to the list provided by the Secretariat of former Chairs and Vice-Chairs of the annual meetings. Based on the principle of rotation, the Chair of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Malcolm Evans, was elected Chair-Rapporteur of the twenty-sixth meeting and the Chair of the Committee on Enforced Disappearances, Emmanuel Decaux, was elected Vice-Chair by acclamation.

4. The Chair of the twenty-sixth meeting, informed participants that the United Nations High Commissioner for Human Rights was unfortunately unable to address the Chair in person. However, he invited the participants to view the videomessage of the High Commissioner.

5. In her videomessage, the High Commissioner congratulated the Chairs for placing the treaty bodies on the map as a system during the intergovernmental process on treaty body strengthening. She welcomed the natural alliance between treaty bodies and her Office which, together, had accomplished what many had deemed impossible — the first successful strengthening of the human rights treaty bodies in 40 years, for the benefit of right-holders — and considered treaty body strengthening a key achievement of her tenure. The High Commissioner emphasized that the treaty bodies and the Office were different and independent actors. The General Assembly had made this clear in its resolution 68/268 by conferring certain responsibilities on the treaty bodies and others on the OHCHR. She highlighted that the treaty bodies and the Office had aligned interests but distinct roles to play and that each would be judged separately in the Secretary-General's biennial report to the Assembly. The High Commissioner therefore encouraged the Chairs to continue their leadership role and reach conclusions on the subject of the alignment of working methods, in the agenda of the twenty-sixth meeting, for implementation by all treaty bodies, unless a committee would subsequently dissociate itself from the outcome.

6. In the full statement that was distributed, the High Commissioner added that throughout her tenure, there had been a very constructive relationship between treaty body members and members of her Office as they worked in tandem to further the goal of human rights for all. She called upon the Chairs to remain vigilant and attentive to the need to further this strong and constructive partnership against the background of isolated incidents in which the staff of the Office were not treated with dignity and respect.

7. The Chair thanked the High Commissioner for being a staunch defender of the work of the treaty bodies in her two consecutive terms. He then expressed his gratitude to Claudio Grossman, outgoing Chair of the twenty-fifth meeting of the Chairs, for his excellent leadership and commitment and for the electronic message he had sent to the participants at the twenty-sixth meeting.

8. In his message, Mr. Grossman emphasized that the twenty-sixth meeting of Chairs was of special importance for three reasons. First, it marked the closing of a year in which, for the first time, the treaty body system had profiled itself as a player on the international scene. Second, the meeting would test the Chairs' ability to maintain their sense of unity. Third, the meeting would measure the degree to which individual Chairs were able to exercise leadership vis-à-vis their own committees. Mr. Grossman recalled how, at their twenty-fifth meeting, the Chairs had articulated five principles which had influenced the treaty body strengthening process and its outcome in a concrete manner. He stressed how the Chairs, through the development of a joint position in Washington, D.C., in January 2014, immediately prior to the last round of intergovernmental negotiations, had exerted a positive and authoritative influence on the treaty body strengthening process. In his message, Mr. Grossman called upon his colleagues to preserve the visibility and space that had been created for the treaty bodies despite many odds. The onus was now on the Chairs, he stated, to seize the momentum that had been created to align the treaty bodies' working methods, not only because this was the mandate of the annual meeting of the Chairs, but also because it would increase accessibility, responsiveness, predictability and human rights protection for all, without discrimination.

9. The Chair of the twenty-sixth meeting introduced the provisional agenda and annotations (HRI/MC/2014/1), and the preliminary programme of work. He recalled that the mandate of the annual meeting of the Chairs was to streamline, rationalize and harmonize the treaty bodies' working methods and rules of procedure. At their twenty-fifth meeting, the Chairs had decided to place the possible alignment of the methodology for constructive dialogue with States parties and the possibility of a common format for concluding observations in the agenda of the twenty-sixth meeting of the Chairs. The General Assembly, in its resolution 68/268, had also encouraged the treaty bodies to align the methodology for their constructive dialogue (para. 5) and to adopt short, focused and concrete concluding observations (para. 6). In paragraph 1 of that resolution, the Assembly further encouraged the treaty bodies to offer the simplified reporting procedure to States parties. Since the simplified reporting procedure was intrinsically linked to the constructive dialogue and the concluding observations, it was also featured in the agenda of the twenty-sixth meeting.

10. The Chair informed the meeting that three notes had been prepared by the Office of the United Nations High Commissioner for Human Rights as background to the discussions (HRI/MC/2014/2, HRI/MC/2014/3 and HRI/MC/2014/4). These

notes had been shared with all treaty body members 12 weeks prior to the annual meeting to enable all Chairs to hold consultations within the meetings of their respective committees during this period. He noted that this approach should help the Chairs reach a meaningful outcome at their twenty-sixth meeting.

11. The Chairs expressed interest in considering the problem of reprisals against persons cooperating with the treaty bodies and the visibility of the treaty body system, as well as follow-up to the joint statement, adopted by the Chairs at their twenty-fifth meeting, on the post-2015 development agenda (A/68/334, annex) under item 8 (other matters) and then adopted the agenda for the twenty-sixth meeting.

12. The Chairs then proceeded to discuss the periodicity and timing of the annual meeting of the Chairs. It was proposed that an additional meeting of the Chairs be organized between the twenty-sixth and twenty-seventh meeting of the Chairs. The Chairs also discussed the possibility of holding an additional meeting involving members of treaty bodies. The Chairs also discussed the advantages and disadvantages of making a collective presentation of annual reports of the treaty bodies to the Third Committee of the General Assembly.

13. The Office of the United Nations High Commissioner for Human Rights was further requested to explore the possibility of holding the Chairs' meeting at the same time as the annual meeting of special procedures mandate-holders of the Human Rights Council.

14. The Chair informed participants that the President of the International Committee of the Red Cross had expressed interest in meeting the Chairs of the treaty bodies in the near future, an initiative warmly welcomed by all Chairs.

III. Follow-up to General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system and to the decisions taken at the twenty-fifth meeting of the Chairs of the treaty bodies pertaining to the harmonization of working methods

15. The Chairs unanimously expressed their satisfaction with the adoption of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system. The majority of the Chairs also expressed their commitment to the implementation of that resolution.

16. Each Chair gave an overview of discussions within his or her respective committee on the subject. Committees that held sessions between April and June 2014 had discussed the matter during their session. Other committees had exchanged views by e-mail. A third group of committees had not yet had the opportunity to discuss General Assembly resolution 68/268.

17. The Chair of the Committee on the Rights of the Child informed participants that discussions within the Committee had been highly positive regarding the alignment of the working methods pertaining to the constructive dialogue between the Committee and States parties and the concluding observations, while at the same time noting the challenge of producing short, focused and targeted concluding

observations, given the broad and comprehensive nature of the Convention on the Rights of the Child.[1] Regarding the simplified reporting procedure, she inquired about the availability of staff capacity of the Office of the United Nations High Commissioner for Human Rights to support this new procedure while at the same time addressing the backlog of reports of States parties under the standard reporting procedure.

18. The Chair of the Committee on Enforced Disappearances stressed that the International Convention for the Protection of All Persons from Enforced Disappearance[2] did not require periodic reports, although it did provide for the possibility, under article 29 (4), of the Committee's requesting States parties to provide additional information on the implementation of the Convention. The Chair further highlighted the fact that the small size of the membership of the Committee could prevent the Committee from applying working methods that were used by larger committees.

19. The Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families informed other participants of the need to increase the number of ratifications of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families[3] and called upon all committees to take the provisions of the Convention and the work of the Committee into account when carrying out their respective mandates.

20. The Chair of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment welcomed the General Assembly resolution and in particular the additional resources granted to the Subcommittee secretariat and the capacity-building package contained in the resolution. Both would enhance the ability of the Subcommittee to carry out its mandate to build and enhance the capacity of national preventive mechanisms.

21. The Chair of the Committee on the Elimination of Discrimination Against Women, while highlighting the importance of striking a balance between unity and specificity, emphasized the momentum and opportunity provided by the resolution on treaty body strengthening and stressed the importance of mobilization by the entire treaty body system to swiftly implement the resolution. She called upon all treaty bodies to further simplify their working methods so as to facilitate State party compliance with reporting obligations. She also emphasized the need for treaty bodies to complement one another and to increase cooperation with other human rights mechanisms.

22. The Vice-Chair of the Committee against Torture informed the participants of the Committee's planned review of its working methods in November 2014. The review would enable the Committee to adopt an informed position on the working methods, in the agenda of the twenty-sixth meeting of the Chairs and to assess the Committee's current use of the simplified reporting procedure (referred to by the Committee under the term "List of issues prior to reporting" (LOIPR) in both quantitative and qualitative terms.

23. The Chair of the Committee on Economic, Social and Cultural Rights expressed the Committee's positive response to the resolution. He also shared the

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] General Assembly resolution 61/177, annex.
[3] United Nations, *Treaty Series*, vol. 2220, No. 39481.

view of the Committee that building a coherent treaty body system would require such time as would be needed to develop a common vision for the system. He further emphasized the importance of prior discussions of items in the agenda of the meetings of the Chairs at committee level.

24. The Chair of the Committee on the Rights of Persons with Disabilities noted with satisfaction that key principles and views of the treaty bodies were reflected in General Assembly resolution 68/268 and informed the meeting that she would brief the Committee on the discussions held at the twenty-sixth meeting of the Chairs at the Committee's upcoming session in September 2014. She also suggested that, in addition to addressing procedural consistency among the committees, the meeting of the Chairs should discuss substantive and jurisprudential consistency.

25. The Chair of the Committee on the Elimination of Racial Discrimination informed the meeting that the Committee had not yet discussed the items in the agenda of the twenty-sixth meeting of the Chairs and would do so at its next session, in August 2014.

26. The Chair of the Human Rights Committee mentioned that the Committee was positive about the General Assembly resolution, in particular the resources granted to address the backlog of State party reports and communications. He further informed the meeting that the Committee had not yet had the opportunity to consider the items in the agenda of the twenty-sixth meeting but would do so at its next session.

27. In the discussion that followed, participants requested to be informed about the 2015 calendar of treaty body meetings as well as the resources available pursuant to General Assembly resolution 68/268 to support the work of the treaty bodies.

A. Simplified reporting procedure

28. On 23 and 24 June 2014, the Chairs considered the simplified reporting procedure. The Chair drew the attention of participants to the note by the secretariat on the simplified reporting procedure (HRI/MC/2014/4). This background paper described existing practices of treaty bodies that had adopted a simplified reporting procedure and considered parameters for harmonizing and generalizing the simplified reporting procedure. The Chair flagged the linkages between the simplified reporting procedure and the concluding observations in terms of bringing greater focus to the State party review. He asked participants to bear in mind the word limits on State party documentation introduced in paragraph 16 of resolution 68/268 and noted the repeated requests in paragraphs 1 and 16 of the resolution to limit the number of questions asked in the list of issues prior to reporting. The Chair then invited the Chairs of the committees using the simplified reporting procedure to share their experience.

29. The Vice-Chair of the Committee against Torture informed the meeting that the Committee had adopted the simplified reporting procedure as a matter of necessity in order to address the fact that a number of States parties did not respond to the standard list of issues in time, as well as for practical reasons related to the translation of documents. Although the Committee considered applying the simplified reporting procedure to long overdue initial reports, in addition to periodic reports, it had not yet done so in order to provide States parties with an opportunity to submit a comprehensive initial report under the standard reporting procedure. The

majority of States parties to the Convention against Torture had responded positively to the simplified reporting procedure. However, the need for a significant amount of support by the staff of the Office of the United Nations High Commissioner for Human Rights in preparing the list of issues under the simplified reporting procedure was underlined. The Committee against Torture representative further highlighted the challenge of receiving timely replies from States parties to the lists of issues prior to reporting and called for a standard and consistent approach to addressing this challenge. Since the lists of issues prior to reporting sent by the Committee against Torture to States parties consisted of from 35 to 45 questions, the Committee did not deem it feasible to limit the number of questions to 25, as suggested in the background note on the simplified reporting procedure and the report of the High Commissioner on strengthening the treaty body system (A/66/860). While recommending that all treaty bodies consider adopting the procedure, the Committee against Torture representative highlighted the need for a detailed qualitative evaluation of the simplified reporting procedure and indicated that the Committee would carry out such an evaluation, as had been requested at a previous meeting of the Chairs.

30. The Chair of the Human Rights Committee informed the meeting that the Human Rights Committee had been offering the simplified reporting procedure since 2009 to States parties with significantly overdue reports. He highlighted the fact that a clear timeline needed to be developed to ensure the predictability of the submission deadline for the replies to the lists of issues prior to reporting and the date of review of the State party report under the simplified reporting procedure. Treaty-specific guidelines remained necessary as long as reports were submitted under the standard reporting procedure. The Human Rights Committee was not envisaging applying the simplified reporting procedure to initial reports. The Chair of the Human Rights Committee further informed the meeting that the Committee could endorse the suggested limit of 25 questions if consultations among its members resulted in consent thereto. He further informed the meeting that the Human Rights Committee intended to review its use of the simplified reporting procedure in 2015.

31. The Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families informed the meeting that it had experienced significant improvements in its efficiency as a result of using the simplified reporting procedure. State party reports submitted under the simplified reporting procedure were more focused and concise, as they addressed the questions asked by the Committee. He emphasized that support of the Office of the United Nations High Commissioner for Human Rights staff was critical for the effective functioning of the simplified reporting procedure.

32. The Chair of the Committee on the Rights of Persons with Disabilities informed the meeting that the State party reports presently reviewed by the Committee were initial reports submitted under the standard reporting procedure. Hence, the Committee did not yet have any experience with the implementation of the simplified reporting procedure. However, the Committee was encouraging States parties to present periodic reports under the simplified reporting procedure.

33. In the discussion that followed, it was noted that there was no standard simplified reporting procedure but, rather, a variety of practices depending on how the procedure was being applied by individual committees. The Chairs noted that it

could be useful to develop a common framework and timeline for the procedure which could be used by all treaty bodies.

34. The Chairs underscored the importance of the contribution of United Nations entities, civil society organizations and national human rights institutions in the preparation of the list of issues under the simplified reporting procedure and emphasized the need to ensure effective participation of those actors in the process.

35. The Office of the United Nations High Commissioner for Human Rights responded to questions from the Chairs regarding the practical implications of the simplified reporting procedure for the scheduling of reviews, the workload involved, the availability of staff support, and the sequencing of the different phases of the simplified reporting procedure. It was highlighted that treaty bodies did not need to delay their offer to make the simplified reporting procedure available until the backlog was cleared.

36. Overall, the Chairs welcomed the use of the simplified reporting procedure for periodic reporting obligations. The majority of Chairs were of the view that initial reports of States parties should ideally be submitted under the standard reporting procedure, although, exceptionally, the procedure could be beneficial as an option for States parties with long-overdue initial reports.

37. The Chairs of the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child informed the meeting that their Committees looked favourably upon the simplified reporting procedure and were likely to make the procedure available to States parties within a reasonable time frame. The Chair of the Committee on Economic, Social and Cultural Rights informed the meeting that the Committee planned to make the procedure available to a limited number of States parties on a pilot basis.

38. While noting that the list of issues prior to reporting should be concise and focused, the Chairs were generally of the view that a limit on the number of questions asked was not practical and that the figure of 25 could serve as an indicative guideline rather than a rule. In response thereto, the Chair of the meeting suggested that committees be guided by an objective assessment of how many questions a State party could respond to in light of the new word limit stipulated in paragraph 16 of General Assembly resolution 68/268.

39. The Chairs of the committees that were already using the simplified reporting procedure informed the meeting that there were no separate guidelines for States reporting under the simplified reporting procedure and that States parties were advised to take into account the treaty-specific guidelines that applied to the standard reporting procedure. The Chairs were of the view that some committees might wish to revise their reporting guidelines in light of the simplified reporting procedure and the new word limit for State party reports.

40. The Chairs reviewed the draft common format of the list of issues under the simplified reporting procedure in annex III to the note by the Secretariat (HRI/MC/2014/4). While noting the usefulness of a common format for lists of issues prior to reporting, the Chairs stressed that the format should serve only as guidance for consideration by treaty bodies and that individual treaty bodies should retain the flexibility to structure the lists of issues in accordance with their needs and the situation in the State party under review.

B. Constructive dialogue

41. On 24 and 25 June 2014, the Chairs considered the possibility of aligning the methodology for the constructive dialogue of treaty bodies with States parties. The Chair drew the attention of participants to the note by the Secretariat on the constructive dialogue between treaty bodies and States parties (HRI/MC/2014/3). He noted that, at the twenty-fifth meeting of the Chairs, it had been decided to look into the matters of written guidelines, country task forces, the clustering of questions by themes, equitable allocation of time between treaty body members and the State party, and the attention given to previous concluding observations during the constructive dialogue. A comparative analysis of existing practices and a proposal for common guidelines on the constructive dialogue were presented in the background note. During the discussions, the Chairs agreed that the term "constructive dialogue" applied only to the oral face-to-face dialogue between the State party delegation and the committee.

42. The Chairs expressed support for the objectives set out in paragraph 5 of General Assembly resolution 68/268, namely, to make the dialogue more effective, maximizing the use of the time available and allowing for a more interactive and productive dialogue with States parties, while underscoring the need for flexibility to enable each committee to shape the dialogue in accordance with its specificity.

43. The Chairs recalled that, during the dialogue, the Chair of the treaty body carried the responsibility for ensuring effective time management. This would include guiding, as necessary, the duration of interventions by State party delegates as well as treaty body members. They also agreed that, to the extent possible and with due respect for the discretion of the Chairs in this regard, treaty bodies would in principle conduct their face-to-face dialogue with States parties over two three-hour meetings and over two consecutive working days. States parties would also be provided with an indication of the time available for opening and closing statements.

44. In addition to the above points of agreement, the Chairs highlighted the positions of their respective committees with respect to the use of country task forces and the structuring of the constructive dialogue within thematic clusters. The Chairs of the Committee on the Elimination of Discrimination against Women, the Committee against Torture, the Committee on the Rights of the Child and the Human Rights Committee expressed the view that the use of country teams (teams of treaty body members, also known as country task forces) which were coordinated by one or more country rapporteurs had enhanced the quality of the dialogue. The Chair of the Committee on Economic, Social and Cultural Rights informed the meeting that the Committee had recently introduced the system of country rapporteurs on a trial basis and that it would be premature for the Committee to introduce a system of country teams at this point. The Chairs of the Committee on the Elimination of Racial Discrimination and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, which did not currently use country teams, stated that any changes to the current methodology would require careful consideration and deliberation within their Committees. The Chairs of the Committee on the Rights of Persons with Disabilities and the Committee on Enforced Disappearances, which did not currently use country teams, informed the meeting that their Committees looked favourably upon the possibility of introducing them. The Chair of the Committee on Enforced Disappearances stressed that the size of the Committee could be a constraint and underscored that

the composition of country teams should take into account not only geographical and gender balance, but also language skills.

45. The Chairs of the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of the Child, the Committee on the Rights of Persons with Disabilities and the Committee on Enforced Disappearances stated that their Committees had already structured the constructive dialogue with States parties according to thematic clusters. The Chair of the Human Rights Committee noted that the Committee might consider this possibility, provided that it retained the discretion to vary the format of the clusters in response to the specific situation of a State party. The Chair of the Committee on the Elimination of Racial Discrimination indicated that the Committee did not currently cluster questions in the dialogue. The Chair of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families informed the meeting that the Committee structured its constructive dialogue by articles in the Convention and was not envisaging a change in this regard.

46. The Chairs acknowledged the encouragement given by the General Assembly, in paragraph 5 of its resolution 68/268, to the treaty bodies with respect to their elaborating an aligned methodology for the constructive dialogue. After discussion, the Chairs invited the treaty bodies to consider the guidance note for States parties on the constructive dialogue with the human rights treaty bodies, contained in annex I to the present report, with a view to making it available to States parties.

C. Concluding observations

47. On 26 June 2014, the Chairs discussed the note by the Secretariat on concluding observations (HRI/MC/2014/2), including the proposal for a draft aligned format for concluding observations, as contained in the annex to the note.

48. The Chairs welcomed the call for short, focused and concrete concluding observations as contained in paragraph 6 of General Assembly resolution 68/268. Some Chairs stressed, however, that concluding observations needed to respect the specificities of the respective committees.

49. A discussion was held on whether the issues raised in the concluding observations should be the subject of discussion during the dialogue, with some Chairs in favour of this approach and others indicating that replies to the list of issues could also serve as the basis for concerns contained in the concluding observations, even if they were not raised during the dialogue. The Chairs also shared views on the extent to which the implementation by the State party of previous concluding observations should be reflected when concluding observations were being drafted.

50. The Chairs agreed that their respective treaty bodies should be encouraged to formulate recommendations that provided specific and actionable guidance for States parties on measures for implementing treaty obligations, including time-bound targets or any priorities, where relevant. The Chairs thought that the inclusion of indicators for measuring State party implementation of the specific treaty provision in the concluding observations raised issues that required further reflection.

51. The Chairs also agreed that concluding observations should identify relevant articles of the treaty and that subheadings in concluding observations could prove meaningful. The Chairs further agreed that, to the extent possible, committees

should be encouraged to limit the use of standard paragraphs for procedural efficiency or when, in specific instances, it was desirable in order to ensure the consistency of jurisprudence and/or equal treatment of States parties.

52. The Chairs felt that it would be unhelpful to impose a word limit of 3,300 words to concluding observations on periodic reports. The Chairs also discussed the suggestion that recommendations be prioritized, taking into account the capacity of States parties to meaningfully implement measures within a given reporting cycle and the need to balance immediate and longer-term priorities, in terms of both urgency and the feasibility of implementation. While some committees de facto prioritized recommendations within the context of their follow-up procedure, a majority of committees considered that seeking to prioritize recommendations in this fashion might prove complex and counterproductive.

53. Furthermore, while the Chairs agreed that recommendations of other human rights treaty bodies and mechanisms should be considered during the State party review, with a view to strengthening the complementarity of human rights mechanisms, the systematic cross-referencing of relevant recommendations of other treaty bodies and mechanisms in the concluding observations was considered by some Chairs to raise questions of practicality.

54. The Chairs acknowledged the encouragement given by the General Assembly, in paragraph 6 of its resolution 68/268, to the treaty bodies with respect to their developing common guidelines for the elaboration of concluding observations. After discussion, the Chairs invited the treaty bodies to consider the framework for the concluding observations, as contained in annex II of the present report. The Chairs underscored that treaty bodies should retain the discretion to adapt the framework so as to reflect the specificities of each treaty.

IV. Informal consultations with States parties

55. On 25 June 2014, the Chairs held informal consultations with States parties regarding General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system.

56. The Chair of the twenty-sixth meeting of the Chairs welcomed the opportunity for a renewed partnership with States parties and expressed support for the implementation by States parties of the General Assembly resolution on treaty body strengthening. He welcomed the opportunities that arose from the adoption of the resolution, in particular the additional meeting time needed to reduce the backlog in consideration of State party reports and individual communications.

57. The other Chairs presented the views of their respective committees on the resolution, underscoring the independence and impartiality of their members and pointing to specificities of their respective conventions. Overall, they expressed their readiness to align the distinct working methods, based on good practices, and to make their procedures more efficient, taking into account the distinct nature of each treaty. Specifically, the Chairs regarded the resolution as an instrument for simplifying the work of States parties when drafting the reports and welcomed the capacity-building and technical assistance package approved by the General Assembly. Increased visibility, strengthened implementation of the conventions and enhanced capacity of national protection systems were identified as joint objectives.

58. The States parties considered the adoption of General Assembly resolution 68/268 a milestone. Expeditious implementation of its provisions was perceived as essential for achieving strengthened human rights protection on the ground. The States parties called upon treaty bodies to swiftly reduce the backlog, harmonize their working methods, including the generalization of the simplified reporting procedure, and use modern technology such as webcasting and videoconferencing. Several States parties also called on the Office of the United Nations High Commissioner for Human Rights to assist States in fulfilling their reporting obligations through capacity-building efforts.

59. Several States parties stressed the distinct roles of treaty bodies, States parties and the Office of the United Nations High Commissioner for Human Rights in relation to the resolution and expressed the need for all actors to fulfil the expectations that it had conveyed, as a matter of priority.

60. On 27 June 2014, the Chairs held informal consultations by videoconference, facilitated by the New York Office of the Office of the High Commissioner, with delegates from States without permanent representation in Geneva. Participating delegations welcomed the opportunity to engage with the Chairs and highlighted the benefits for States without permanent representation in Geneva of being able to interact with treaty bodies in New York.

61. Delegates inquired about action taken by the treaty bodies to make concluding observations more focused and the dialogue more balanced. The delegates further requested that all treaty bodies make the simplified reporting procedure available to facilitate reporting by small States facing capacity constraints. The question was also raised about the implementation of the Addis Ababa guidelines (A/67/222, annex I) and their possible revision in the future.

V. Informal consultations with civil society organizations and the International Coordinating Committee of national human rights institutions

62. On 26 May 2014, the Chairs held informal consultations with civil society organizations and the International Coordinating Committee of national human rights institutions. In a joint statement, 18 civil society organizations welcomed the outcome of the treaty body strengthening process. They acknowledged the important role played by treaty body members in the process, and highlighted a number of priority areas for consideration by the Chairs.

63. Civil society representatives further underscored the importance of the alignment of working methods to facilitate the engagement of civil society organizations with the treaty bodies. They expressed concern that some recommendations made at previous meetings of the Chairs were yet to be taken forward and expressed the hope that the adoption of the General Assembly resolution would provide a renewed impetus for action. Civil society representatives called upon all treaty bodies to make the simplified reporting procedure available, while at the same time clearly defining how non-governmental organizations could provide input into this process. Civil society participants in the meeting also stressed the importance for all treaty bodies to hold closed meetings with civil society organizations. They further requested that treaty bodies explore the possibility of meeting in dual

chambers and encouraged the treaty bodies to develop new working methods which would optimize their meeting time, in light of the significant increase of the workload of the treaty bodies expected in the coming years.

64. Some civil society representatives expressed concern over what they perceived as a lack of political will by some States parties to comply with their reporting obligations. In this context, they called upon treaty bodies to review the situation of States parties in the absence of a report, particularly in cases of grave human rights violations.

65. Civil society representatives further welcomed the strong condemnation in General Assembly resolution 68/268, paragraph 8, of all acts of reprisals and intimidation against individuals and groups for their contribution to the work of the treaty bodies and encouraged the Chairs to adopt effective measures in this respect.

66. Treaty bodies were also strongly encouraged to endorse the Addis Ababa guidelines and undertake measures to ensure that all members adhered to them.

67. Suggestions were made by civil society representatives regarding the accessibility of and equal participation in activities of treaty bodies for persons with disabilities. While the systematic videorecording and webcasting of interactive dialogues enabled all national stakeholders to monitor and participate in the work of the treaty bodies, only the Committee on the Rights of Persons with Disabilities provided accessibility measures such as captioning and sign-language interpretation. The treaty bodies were also encouraged to evaluate the accessibility of their information and communication, with particular attention to the format of files uploaded on the websites, and to generalize the green policy, already practised by the Committee on the Rights of Persons with Disabilities, by which electronic documents were used instead of hard copies.

68. The Chairs welcomed the valuable contribution of civil society organizations to the work of the treaty bodies, whether through submissions, inputs, hearings or briefings. They called upon civil society organizations to continue to participate in State reviews as well as in the implementation of recommendations emanating from the treaty bodies.

VI. Other matters

A. Reprisals against individuals and groups engaging or seeking to engage with the treaty bodies

69. On 27 June, the Chairs met with a representative of the Special Procedures Branch of the Office of the United Nations High Commissioner for Human Rights, Mara Bustelo. Ms. Bustelo mentioned that the special procedures had benefited greatly from the work of the treaty bodies, particularly for their country visits, and expressed the hope that both mechanisms would reinforce each other through more systematic cross-referencing.

70. At the request of the Chairs, Ms. Bustelo informed the meeting of measures adopted by the special procedures to address reprisals against individuals and groups and individuals cooperating with the United Nations human rights mechanisms. These measures included the development of a protocol for handling

individual cases of reprisals, the serving of the Special Rapporteur on the situation of human rights defenders as a focal point for cases of reprisals, and training for new mandate-holders on how to prevent reprisals when handling communications and conducting country visits.

71. Stressing the importance of a system-wide approach across all human rights mechanisms to addressing reprisals, the Chairs expressed interest in developing a common treaty body policy against reprisals and decided to make the topic a standing item of the agenda of the annual meeting of the Chairs. They also recommended that all treaty bodies that had not yet done so establish a focal point on reprisals and decided to consider and adopt a joint policy on reprisals at the twenty-seventh meeting of the Chairs in 2015.

B. Meeting with the Universal Periodic Review (UPR) Branch of the Office of the United Nations High Commissioner for Human Rights

72. On 25 June 2014, the Chairs met with the Chief of the Universal Periodic Review Branch of the Office of the United Nations High Commissioner for Human Rights, Shahrzad Tadjbakhsh, who highlighted the complementarity between the work of the treaty bodies and the universal periodic review, noting that the concluding observations of treaty bodies constituted a significant component of Universal Periodic Review discussions and recommendations, and highlighting the numerous Universal Periodic Review recommendations to States that they ratify human rights treaties. She also briefed the Chairs on the integrated approach of the Office of the United Nations High Commissioner for Human Rights to follow up on recommendations by all human rights mechanisms — the Universal Periodic Review, the treaty bodies and the Special Procedures — as well as by the United Nations High Commissioner for Human Rights.

73. The Chairs expressed concern over instances in which Universal Periodic Review recommendations sourced from treaty body concluding observations were rejected by States. Ms. Tadjbakhsh clarified that the Universal Periodic Review did not allow for States to reject recommendations. Rather, it provided the option for States to note recommendations that they deemed could not be implemented within a given Universal Periodic Review cycle. The Chair of the Committee on the Rights of Persons with Disabilities noted the need to improve the physical accessibility to the work of the Human Rights Council of persons with disabilities.

VII. Conclusions, decisions and recommendations

74. At their twenty-sixth meeting, the Chairs of the human rights treaty bodies adopted the following conclusions, decisions and recommendations:

I. The role of the Chairs in achieving the goals of General Assembly resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system

75. The Chairs expressed the commitment of the human rights treaty bodies to further developing their work as a system by continuing to review good practices regarding the application of rules of procedure and working methods in their ongoing efforts towards strengthening and enhancing the effective functioning of the treaty bodies.

76. In this context, the Chairs welcomed the encouragement given by the General Assembly to the treaty bodies in respect of their continuing to enhance the role of the Chairs in relation to procedural matters, including with respect to formulating conclusions on issues related to working methods, generalizing good practices and methodologies among all treaty bodies, ensuring coherence across the treaty bodies and standardizing working methods.

77. The Chairs reaffirmed their previously recognized roles in facilitating representation and coordinating common activities, including matters such as the consideration and adoption of joint statements, while respecting the autonomy and specificity of each treaty body. The Chairs also reiterated the decision taken at previous meetings of the Chairs that the Chairs should adopt measures on working methods and procedural matters that were common across the treaty body system and had been discussed previously within each committee, and that such measures should be implemented by all treaty bodies unless a committee subsequently dissociated itself from them.

II. Harmonization of treaty bodies' working methods

78. The Chairs examined the issue of working methods included in the agenda of the twenty-sixth meeting with a view to identifying good practices and adopted the following:

79. The Chairs welcome the outcome of the work of the General Assembly on strengthening and enhancing the effective functioning of the human rights treaty body system, culminating in the adoption of Assembly resolution 68/268.

80. The Chairs recognize and reiterate that the success of the strengthening process depends on the constructive partnership among all stakeholders, working towards that common goal. In this spirit, the Chairs are committed to fully considering the contents of the resolution both together and within their respective committees. As they do so, the Chairs support an approach that prioritizes, in the first instance, the realization of one of the principal purposes of the resolution: to promote the enhancement of States' compliance with their human rights commitments.

81. That goal cannot be achieved without the prompt and full allocation of additional meeting time to the treaty bodies, accompanied by the additional levels of staffing and support as envisaged by the General Assembly in its resolution 68/268. The elimination of the current backlog of reports and individual communications, which treaty bodies must undertake in addition to their other important functions, is

an essential aspect of engaging States parties more effectively as well as contributing more effectively to the protection of human rights.

82. The Chairs consider that, in accordance with the outcome of General Assembly resolution 68/268, all savings generated from the implementation of the resolution and the additional funding should be made available to the treaty body system so as to supplement existing budgetary and extrabudgetary resources. The Chairs therefore would like to seek clarification regarding the future arrangements with respect to meeting time and staff support and to receive a plan of action demonstrating how the backlog of work will be addressed within the envisaged time frames.

83. The Chairs consider it necessary to place before their committees a series of proposals for alignments which, once they have had the opportunity to reflect on them, will be taken forward at the twenty-seventh meeting of the Chairs. The Chairs also recognize their responsibility for continuing efforts aimed at aligning the methods of work of treaty bodies.

84. The Chairs note with appreciation the documentation (HRI/MC/2014/2, HRI/MC/2014/3 and HRI/MC/2014/4) prepared to assist them in their reflections on how they might achieve the strengthening of the treaty body system, as recommended by the General Assembly in its resolution 68/268, as well as comments made during the consultations with stakeholders at their twenty-sixth annual meeting.

85. Treaty bodies may wish to draw upon the recommendations of other human rights treaty bodies and mechanisms in the drafting of the list of issues (prior to reporting), in the dialogue, and, where appropriate, in the concluding observations, so as to strengthen the coherence and complementarity of human rights mechanisms.

A. Simplified reporting procedure

86. The Chairs draw the committees' attention to the call by the General Assembly in resolution 68/268, paragraph 1, to make available to States a simplified reporting procedure.

87. The Chairs also recognize that as of 1 January 2015, periodic reports will be subject to the limit on word length set out in paragraph 16 of General Assembly resolution 68/268. In response to the changed situation, the Chairs endorse the view that committees that examine periodic reports should consider making such a procedure available after 1 January 2015.

88. They further endorse the view that committees might consider making a simplified process available for the consideration of initial reports in those specific instances where they believe this would enhance the constructive dialogue.

89. The Chairs believe that such a simplified process should involve the highlighting by Committees of those questions or themes that they believe it would be most advantageous for the reporting State to focus on in its written report, without prejudice to the possibility of other issues of importance being raised at a subsequent point within the process by the State or by the treaty body.

90. To assist them in doing so, the Chairs would draw the attention of the treaty bodies to the examples provided by the practice of the Committee against Torture and the Human Rights Committee, believing that those examples encompass

elements that could be usefully drawn upon in the construction of country-specific reporting guidance.

91. The Chairs encourage the treaty bodies that have benefited from the simplified reporting procedure to evaluate its advantages and challenges in order that the best practices in this regard may be replicated by all committees.

92. The Chairs also recognize that States may choose not to take advantage of a simplified process but may wish instead to continue to submit reports in accordance with the reporting guidelines of each treaty body. The Chairs believe that each treaty body should consider revising their existing reporting guidelines with a view to ensuring that States parties are able to submit reports that conform both to those guidelines and to the word limits as set out in paragraph 16 of General Assembly resolution 68/268.

93. The committees may wish to consider the need for sequencing the stages of the reporting procedure, including the adoption of the list of issues, so as to facilitate the timely and productive review of State party reports.

B. Constructive dialogue

94. The Chairs share the objectives as set out in paragraph 5 of resolution 68/268, which encompass making the dialogue more effective, maximizing the use of the time available and allowing for a more interactive and productive dialogue with States parties. The Chairs underline the need for each treaty body to have flexibility in conducting the dialogue in accordance with the specificities of each convention.

95. Recalling that the Chair of each committee is responsible for ensuring that the dialogue is conducted in a constructive, effective and efficient manner, the Chairs invite their committees to consider the following as elements of such an approach.

96. That the dialogue normally be conducted in two sessions of up to three hours and, when possible, be held over two consecutive working days. An additional session of up to a further three hours may be convened exceptionally when the committee considers it appropriate and feasible.

97. That States parties be provided with information on the structure of the dialogue and an indication of the time limits for their opening statement (15-30 minutes) and for their closing remarks (up to 10 minutes), with a view to saving time for the direct exchange between the State party's delegation and committee members.

98. That the use of country teams, coordinated by one or more committee members, has been shown to have merit as a means of enhancing the quality and coverage of the dialogue in those committee that have adopted this approach.

99. That time limits be used, when necessary, for the interventions of both treaty body members and States parties under the guidance of the Chair.

100. That the dialogue concerning periodic reports focus on the issues or thematic priorities identified by the treaty bodies. Such priority issues may include previous concluding observations, matters identified in the list of issues, and possible new developments in the State party which have come to the Committee's attention.

101. That as an aid and assistance to States parties, a guidance note on the constructive dialogue should be made available to States parties, a draft of which is contained in annex I to this report.

C. Concluding observations

102. The Chairs support the call by the General Assembly in resolution 68/268, paragraph 6, for concluding observations that are short, focused and concrete, bearing in mind the specificities of the respective committees and their mandates.

103. The Chairs further believe that it would be helpful for the issues raised in the concluding observations to have been the subject of discussion during the dialogue and consider that this should usually be the case.

104. The Chairs encourage the treaty bodies to formulate recommendations that provide specific and actionable guidance on measures for implementing treaty obligations, including time-bound targets or any priorities, where relevant. In this context, the Chairs invite the treaty bodies to identify the relevant articles of the treaty in question in their concluding observations and to formulate guidance on any legislative or structural changes that might be required by the State party. Where they act as an aid to clarity, the Chairs welcome the standardized use of subheadings in concluding observations.

105. The treaty bodies are encouraged to use standard paragraphs only when it is procedurally convenient or when, in specific instances, it is desirable in order to ensure the consistency of jurisprudence and/or equal treatment of States parties. Treaty bodies are discouraged from including in their concluding observations standard paragraphs of a routine nature, unless necessary.

106. Inspired by paragraph 6 of resolution 68/268, the Chairs endorse the framework for concluding observations as contained in annex II to this report, to be understood in the light of the need for each treaty body to exercise the framework flexibly so that their concluding observations respect and reflect the specificities of each convention and treaty body.

III. Reprisals

107. The Chairs strongly condemn intimidation and reprisals against persons who are seeking to engage with the treaty bodies.

108. The Chairs also welcome the strong condemnation by the General Assembly, in paragraph 8 of its resolution 68/268, of all acts of intimidation and reprisals towards individuals and groups for their contribution to the work of the treaty bodies, and support the Assembly's calling upon States to take all appropriate action to prevent and eliminate such human rights violations.

109. The Chairs invite all treaty bodies that have not yet done so, to establish a rapporteur for reprisals who would take such steps as are necessary to prevent, protect against, investigate and pursue accountability for acts of intimidation or reprisals.

110. The Chairs further decide to include reprisals as a standing item in the agenda of the annual meeting of the Chairs and to engage with other bodies that are working to protect human rights defenders and other right-holders from reprisals.

111. With a view to developing a system-wide approach towards reprisals, the Chairs further decide to develop and adopt a joint treaty body policy against reprisals at their twenty-seventh meeting. Such a policy should be part of a more general approach to reprisals by the relevant United Nations human rights mechanisms.

IV. Late reporting and non-reporting by States parties

112. The Chairs reaffirm the decision taken at the twenty-fifth meeting of the Chairs to include late and non-reporting by States parties as a standing item in the agenda of the annual meeting of the Chairs and to include the status of late and non-reporting in their report on the annual meeting. The Chairs welcome the implementation of the recommendation made at their twenty-fifth meeting that the Office of the United Nations High Commissioner for Human Rights place information on timely, late and non-reporting by States parties on its website. They recommended that this web page be maintained and updated on an ongoing basis.

V. Annual meetings of the Chairs of the treaty bodies

113. The Chairs recommend that the scheduling of their annual meeting be re-examined so as to ensure that it is held at the most appropriate point in time in the annual cycle of work of the treaty body system and the Office of the United Nations High Commissioner for Human Rights.

114. In addition, the Chairs recommend that a second additional meeting involving members of treaty bodies be convened each year.

VI. Agenda for the twenty-seventh meeting of the Chairs

115. At their twenty-sixth meeting, the Chairs decided that the twenty-seventh annual meeting will have, inter alia, the following items in its agenda:

(a) Follow-up to the substantive items discussed at their twenty-sixth annual meeting concerning the harmonization of working methods;

(b) A common policy by the treaty body system on intimidation and reprisals;

(c) The possible alignment of the consultation process for the elaboration of general comments;

(d) Late and non-reporting by States parties, as deferred from the twenty-sixth annual meeting;

(e) Review of the developments in regard to the Chairs' joint statement on the post-2015 development agenda, adopted at the twenty-fifth annual meeting;

(f) Assistance in the area of capacity-building and technical cooperation, in light of General Assembly resolution 68/268.

VII. Venue of the annual meeting of the Chairs

116. Geneva has been the traditional venue of the annual meeting of the Chairs. In 2010, the Chairs decided to bring their meeting to the regions. In this context, meetings have been held in Brussels (2010) and Addis Ababa (2012). In 2013, the Chairs' meeting was convened in New York to allow for the engagement of the Chairs with the intergovernmental process on treaty body strengthening.

117. In order to maintain the dialogue with States and other stakeholders in New York, the Chairs recommend that their annual meeting be held in New York in the years in which the Secretary-General's biennial progress report on treaty body strengthening is submitted to the General Assembly.

118. The Chairs further recommend that the meeting alternate among Geneva, New York and the regions. In this regard, the Chairs recommend that the twenty-seventh meeting be held in New York at a time to be confirmed, subject to available resources.

VIII. Chair-Rapporteur and Vice-Chair-Rapporteur of the twenty-seventh meeting

119. The Chairs decide that, in accordance with the principle of rotation and inclusion of new committees in the list, the Chair-Rapporteur of the twenty-seventh meeting of the Chairs, in 2015, will be the Chair of the Committee on Enforced Disappearances, and the Vice-Chair-Rapporteur will be the Chair of the Human Rights Committee.

Annex I

Guidance note for States parties on the constructive dialogue with the human rights treaty bodies

The human rights treaty bodies consider States parties' reports by examining them through a process that includes a constructive dialogue with representatives of the State party concerned. That dialogue helps treaty bodies understand and review the human rights situation in the State party as it pertains to the treaty concerned. It also serves as a basis for the concluding observations of the treaty bodies. The constructive dialogue offers an opportunity for States parties to receive expert advice on compliance with their international human rights commitments, which assists them in their implementation of the treaties at the national level.

Composition of State party delegations for the constructive dialogue

The treaty bodies encourage the State party delegation for the constructive dialogue to be led by a senior State figure with a responsibility for the implementation of the respective treaty. The treaty bodies also encourage States parties to include in their delegations, as far as possible, representatives with relevant expertise from key executive and other authorities responsible for the implementation of the treaty concerned, with due regard for expertise and gender balance. The State party may also wish to consider including in its delegation representatives of other relevant institutions or entities.

The reports of States parties are considered by treaty bodies in the order determined by the treaty body concerned, which is usually the order of submission. Once the date for consideration of a State party report has been set, an invitation is sent to the relevant authorities at least six months in advance of the proposed meeting. The date of the session during which the constructive dialogue is to be held may be altered only in exceptional circumstances, as determined by the Committee.

Country rapporteurs and country teams of treaty bodies

Treaty bodies may appoint members to serve as country rapporteurs, who may then act as focal points for introducing and coordinating the constructive oral dialogue with the State party delegation. Treaty bodies may also decide to mandate a broader group of members to act in this capacity. Expertise, language, and geographical and gender balance should, inter alia, be taken into account in the composition of such groups.

Country rapporteurs (or their equivalents within groups established for this purpose) will usually exercise primary responsibility for the preparation of the constructive oral dialogue with a State party. This includes prior consultation and coordination regarding any priority areas or issues to be considered, with a view to encouraging members of the committee to avoid both repetition and gaps in the coverage given. Supplementary questions may be posed by any treaty body member as necessary.

In accordance with the guidelines on the independence and impartiality of members of the human rights treaty bodies ("the Addis Ababa guidelines") (annex I to A/67/222 and Corr.1) and the rules of the treaty bodies, treaty body members who are nationals of the State party under review do not participate in the entire process, including the constructive dialogue and the adoption of concluding observations.

Role of the Chairs of treaty bodies during the constructive dialogue

The Chairs of the treaty bodies are responsible for ensuring that the dialogue with the State party is conducted in an interactive, effective, efficient and respectful manner.

Format of the constructive dialogue

The constructive dialogue with States parties will normally be conducted in two sessions of up to three hours and will usually be held over two consecutive working days. An additional session of up to a further three hours may be convened exceptionally when the Committee considers it appropriate and feasible.

Focus of the dialogue

During the dialogue concerning an initial report, the treaty bodies seek to cover most or all of the treaty provisions, as well as any thematic priorities or challenges that the Committee has identified. The dialogue concerning periodic reports is focused on the issues or thematic priorities identified by the treaty bodies. Such priority issues may include previous concluding observations, challenges identified in the list of issues, and possible new developments in the State party which have come to the Committee's attention.

Clustering of the dialogue

Questions posed by treaty body members may be clustered by articles, themes or sub-themes, reflecting the substantive provisions of the respective treaty. Following the responses of the State party, further rounds of the dialogue are held until all clusters have been covered, bearing in mind the need to give the State party reasonable time to answer the questions posed by the treaty body members. Treaty body members may pose follow-up questions to the responses of the State party.

Time allocations

The Chairs of the treaty bodies are responsible for conducting proceedings in a timely manner, including ensuring respect for any time limits that have been set. States parties will be provided with information on the structure of the dialogue and an indication of the time limits for their opening statement (15-30 minutes) and for their closing remarks (up to 10 minutes), with a view to saving time for the direct exchange between the State party's delegation and Committee members.

Languages used during the constructive dialogue

Pursuant to paragraph 30 of General Assembly resolution 68/268, on strengthening and enhancing the effective functioning of the human rights treaty body system, the treaty bodies will use three official working languages, with a fourth official language provided on an exceptional basis to facilitate communication among treaty body members, as determined by the committee concerned and without prejudice to the right of each State party to interact, both orally and in writing, with the treaty bodies in any of the six official United Nations languages.

Should a State party delegation wish to bring its own interpreters to interpret into a language other than one of the official languages, this should be brought to the attention of the secretariat at least four weeks prior to the constructive dialogue.

Public nature of meetings

The constructive dialogue with treaty bodies is held in public meetings. The United Nations should provide meeting summaries, prepared by the Department of Public Information of the Secretariat, and summary records in one of the working languages of the treaty body.

Observers, such as representatives of the United Nations and of civil society, academics and others, may attend public meetings, as long as participants have received advance accreditation. It is not necessary for an observer to be accredited with the Economic and Social Council in order to attend the public meetings of treaty bodies or to submit information to them.

Webcasting, audiotaping and filming of public meetings is permitted, when authorized, and as long as this does not interfere with the dialogue. More information regarding the United Nations media policy and accreditation is available on the website of the United Nations Office at Geneva (unog.ch).

The principle of accessibility and reasonable accommodation must be applied in the context of the constructive dialogue, pursuant to General Assembly resolution 68/268, paragraph 29. This requires the adoption of various measures, such as, inter alia, access to physical space, to information, to communication and to sign-language interpretation.

Background documentation

Background documentation pertaining to State party reviews by treaty bodies is accessible on the website of the Office of the United Nations High Commissioner for Human Rights (www.ohchr.org). No copies are distributed in the meeting room.

Accreditation

States parties are requested to submit a list of members of their delegation by note verbale to the respective treaty body secretariat no later than two weeks prior to the start of the session, so that arrangements can be made for the issuance of the

ground passes needed to enter the United Nations premises. Members of delegations with disabilities can identify her or his accommodation needs, as explained in a guidance note (available from http://goo.gl/g6f6Gh). Subject to confirmation by the respective treaty body secretariats, the ground passes may generally be collected on the Friday prior to the start of the respective treaty body session at the security desks at Palais Wilson or the Pregny Gate at the Palais des Nations.

Technical briefings by the secretariats of the treaty bodies

The secretariats of the treaty bodies conduct technical briefings for States parties prior to each treaty body session to provide any further information that may be required by States parties prior to the constructive dialogue.

Annex II

Framework for the concluding observations

A. Introduction

The introduction should describe the stages of the Committee's consideration of the report of the State party, including the dates of the submission of reports, related documents, meetings, the adoption of the concluding observations, and the composition of the delegations.

It should also include any reflections on the nature of the reporting process as a whole and any other introductory matters.

B. Positive aspects

This section provides an opportunity to recognize relevant positive measures, including legislative, administrative, programmatic or institutional advancements, and ratifications of international instruments, that the State party has taken during the reporting period.

Progress made in the implementation of previous recommendations made by the Committee might also be noted in this section.

C. Principal matters of concern and recommendations

At the beginning of this section, the Committee could address structural obstacles or other factors that impact upon the implementation of the convention, should this be appropriate.

This section may be organized according to clusters that may take account of measures taken regarding previous concluding observations and may take into account cross-cutting issues, subject to the needs of the committee.

Concerns and recommendations could be clustered under articles, themes, headings or subheadings.

Issues raised in the concluding observations should preferably have been discussed during the dialogue.

Concerns should be stated succinctly and followed by recommendations set out in bold typeface.

Recommendations should avoid unnecessary repetition of information already included in the statement of the concern.

The concern and/or the recommendation could reference previous recommendations of the Committee when appropriate (e.g., where the previous recommendation was implemented only partially or not at all).

Recommendations should be formulated so as to provide specific actionable guidance and might indicate time frames for the implementation of measures.

Recommendations requiring priority attention, owing to the gravity of the human rights concerns to which they relate, may be specifically identified.

Committees are encouraged to take account of relevant recommendations made by the United Nations human rights system.

D. Implementation of recommendations, dissemination and follow-up

In this section, the Committee addresses the need to ensure that the State party takes all appropriate measures to ensure that the present recommendations are fully implemented by, inter alia, transmitting them, in accessible format, to all concerned authorities and institutions and other relevant stakeholders.

The Committee might also request the State party to involve international agencies, national human rights institutions and civil society actors, including non-governmental organizations, in the implementation of concluding observations when this appears appropriate.

The Committee may also identify recommendations that are to be subject to specific follow-up procedures, and set out what they are to comprise.

The Committee may also request that the State party report on steps taken to implement the recommendations in the context of any follow-up procedure that exists.

The Committee should also set out the due date for the submission of the next report.

The Committee may also comment on arrangement for the dissemination of the concluding observations.